Govern. Politics vol 3.

I.

AN ESSAY UPON GOVERNMENT:

OR, THE NATURAL NOTIONS OF *GOVERNMENT*,

Demonstrated

In a Chain of CONSEQUENCES from the Fundamental Principles of SOCIETY.

By which,

All the Nicest Cases of Conscience relating to Government may be, and many of 'em are here resolv'd, with respect to the Authority of Government in General: The End and Manner of Making and Executing Laws: The Measure of Submission to Princes, and the Lawfulness or Unlawfulness of Revolutions:

In a Method altogether New.

By THO. BURNETT, D. D. Prebendary of *Sarum*, and Rector of *Westkington* in *Wiltshire*.

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Walter Bowman

TO

James Mountagu, Eſq;

OF

Lackham, *in the County of* Wilts.

SIR,

THE favourable Reception this little treatiſe has met with, and eſpecially from thoſe whoſe Judgment I ought to have regard to, has incouraged me to publiſh it a ſecond time: And that I may do it with the greater advantage, I beg leave it may appear under your Patronage.

It will be always an Honour to any work to have the countenance of a Perſon of your eminent Character,

whoſe ſhining Virtues give a freſh Luſtre to your Noble and Antient Family, as your daily endeavours for the publick good render you a common Bleſſing to your Country.

But it is not on this account only that I addreſs my ſelf to you, conſidering you as a Great Man, but as a Great Friend, from whom I have received many, and great Favours, and I am glad of this opportunity of publickly acknowledging my obligations to you, and aſſuring you, that I am, with the utmoſt gratitude,

Honoured Sir,

Your moſt Obedient,

Humble Servant,

T. BURNETT.

THE PREFACE.

THIS *Treatiſe ſets before the Reader a little Syſtem of Political Philoſophy, to explain and demonſtrate the Notion of* Government; *which as it is often of very dangerous conſequence for men to be miſtaken in; ſo is it of equal importance to Society, to have it rightly and perfectly underſtood: The way to attain this with any certainty, is to fix it upon certain and undeniable Principles, and if from a due application of thoſe general truths to particular caſes, like the Artificer's Square and Rule to his work, we find ſuch a natural relation and agreement, as will ſolve all the ſeveral* Phœnomena *of the point, we cannot much fail of what we aim at.*

This was what I propos'd to my ſelf, reſolving to lay aſide all prejudice and partiality, and to follow

follow the freedom of my own thoughts, to ſee whether Reaſon alone would conduct us, if it were ſincerely liſtned to; And this method I have all along perſued, and from the fundamental Principles of Society, which all men univerſally agree in, I have been naturally led on, as by a thread, thro' that intricate maze of errour and confuſion, with which this ſubject is intangled, to an uniform conſiſtent Scheme of notions, ſuch as will anſwer all the occaſions of Government, and account for all the difficulties of it. And for this reaſon, as I think I have found the truth, that has been ſo much ſought and inquir'd after; ſo I preſent it to the Reader juſt as I found it, without any other dreſs or ornament, but that of its own native beauty and ſimplicity.

And this I have choſen to do on purpoſe, that it might carry the clearer evidence and conviction along with it: For the forming a right notion of Truth, is like taking the juſt proportion of a body; the only way to do it, is to ſtrip it of its dreſs, and view it in its naked form.

But however plain and demonſtrative theſe notions may ſeem to me, yet I ſhould not have ventur'd them to the preſs, had they not appear'd as rational to others, and thoſe too not only

only men of learning and judgment, but of contrary parties and opinions in this controverſy.

For to publiſh ones thoughts in matters of diſpute, is but like ſtripping to run the Gantelope, where every one that differs in his opinion, will be ſure to condemn you of errour, and ſeldom fails to laſh you ſeverely for it. This hazard I had been very careful to avoid, had I not been ſenſible of the abſolute neceſſity there is of ſome ſuch treatiſe as this at this time, when ſo much pains has been taken to unſettle peoples minds, and ſow the ſeeds of rebellion and diſcontent amongſt us; When open attempts are made to bring in the Pretender, to the utmoſt hazard of our Religion and Liberties, by expoſing us to Popery and Arbitrary Power, and that too by the means of an Inteſtine War, by which the Nation muſt have been involv'd in blood and ruin; And all this under a Pretence of a Title, which the Laws have ſet aſide, and themſelves have many of 'em abjur'd, and againſt the Eſtabliſh'd Right of a Prince, endued with all the Great and Noble Qualities that can make any Prince a Bleſſing; who can have no other views, nor any other intereſt, but to make us a Flouriſhing and Happy People: And when we hear men every day juſtifying theſe attempts,

attempts, and lamenting the misfortune of their diſappointment, as if they long'd like the Iſra-elites *to be in* Egypt *again; It concerns every one, at this time eſpecially, who has any true regard for the Proteſtant Religion, or the Intereſt of his Country, to bring in what aſſiſtance he is able, to the maintenance and ſupport of that Happy Settlement, upon which our preſent Peace and future Safety, and all the other valuable Bleſſings of Society, do intirely, under God, depend. This is the chief End of publiſhing theſe Papers, and if they will in any wiſe contribute to it, either by ſettling the Notions of ſuch as are in doubt, or ſetting thoſe right who are miſtaken, or reducing thoſe that are miſled, I ſhall think my time and labour well imploy'd, and my ſelf very Happy in having been the Inſtrument of ſo much good to them and my Country.*

A N

AN

ESSAY

UPON

GOVERNMENT, &c.

MY design in the following papers is, to endeavour to establish a right Notion of Government from natural and certain Principles; a Work at first view not very easy to be done, considering how much men differ on this subject, and how intricate and intangled they have made it.

Amongst the many that have wrote upon this Point, there are but few who agree in the same Scheme; and amongst the many Schemes that have been drawn, I doubt there are hardly any, which are not imbarrass'd with some obstinate difficulty, that the Author would be glad to be fairly rid of.

The ſeveral Notions of Government.

As to the late Civil Wars, 'tis pretty well known, what Notions of Government went current in thoſe Days. When Monarchy was to be ſubverted, we know what was neceſſary to juſtify the Fact; and then, becauſe it was convenient for their purpoſe, it was undoubtedly true in the Nature of Things, *That Government had its Original from the People, and the Prince was only their Truſtee, to execute the Office they had put into his hand, which they might reſume when they ſaw fit.*

This was the Doctrine that was commonly receiv'd, and the only Doctrine that reliſh'd in thoſe Times.

But afterwards, when Monarchy took its Place again, and a new Scene of things appear'd upon the Stage, another Notion of Government came in Faſhion, *Then Government had its Original entirely from God, and the Prince was accountable to none but Him; ſo that let Him do what he would, He was not to be oppos'd, and what Injury ſoever we might ſuffer by Him, we muſt wait for a Redreſs, till the Day of Judgment.*

Then Princes were tuti Imperii Majeſtate, *their Majeſty was their Protection, and their Character their Sanctuary, and as they were intruſted by none but God, ſo there was nothing left for Subjects, but the Glory of obeying.* Theſe Notions

Notions of Government went glibly down, according to the Times, they were vented in.

And now, upon another turn of things, when People have a liberty to ſpeak out, a new Set of notions is advanced; *now Paſſive Obedience is all a miſtake, and inſtead of being a duty to ſuffer oppreſſion, 'tis a Glorious Act to reſiſt it; and inſtead of leaving Injuries to be redreſs'd by God, we have a natural Right to relieve our ſelves.*

Now amidſt theſe contradictions, which have each been manag'd with art and dexterity, 'tis hard to find where the Truth lies. Each notion has paſs'd for true Sterling in its turn; and if we were to judge by the ſame Rule, that ſuch Principles are too commonly receiv'd by, we muſt then judge according to our Intereſt, and according to the humour of the Times we live in; and tho' we may not happen to be right, yet we ſhall generally be allow'd to be ſo, and we are ſure to be of the ſtrongeſt Side.

But after all, there is a Right, and a Wrong, however Prejudice, or Intereſt has perplex'd, and entangled them, and as it will be a very fair ſtep to the diſcovery of the Right, if we can find what Notions are Wrong, ſo I will endeavour to lay down ſome Propoſitions, as Rules for this purpoſe, by which we may form a certain Judgment, and when we have by this

means clear'd away the Rubbiſh, we may the more eaſily find the Jewel, that lies buried in ſuch a Heap of Confuſion.

Principles to be granted.

NOW theſe Rules I will build upon ſuch Principles only, as the greateſt Part, if not all Mankind are agreed in; And therefore I will take it for granted,

Principle I.

Firſt, THAT as the Wiſdom of God made the World for ſome End, ſo whatever that End was, it is the duty of every man to perſue it to his power.

Principle II.

Secondly, THAT whatever Means are in the nature of things neceſſary to that End, the ſame are ſo many Laws, and Rules of Action, and ſo many neceſſary and natural duties to be obſerv'd in the perſuit of that End.

Principle III.

Thirdly, THAT Means, as ſuch, are only for the ſake of the End, and by conſequence as the End muſt be more valuable than the Means, ſo the value of the Means muſt riſe or fall, and our duty and obligation to make uſe of 'em, muſt be greater,

or

or leſs, according as they are more, or leſs neceſſary to the End: And if ſo, from hence it will follow,

That when any thing, which is in its own nature a neceſſary Means to an End, ſhall, by being applied in ſuch and ſuch a manner, prove deſtructive of that End; ſo far as it is our duty to perſue the End, ſo far it is our duty to reject that application.

Theſe are ſuch Principles as few will diſallow; and I believe it will hardly be denied me further,

Principle IV.

Fourthly, THAT the End for which God made the World, was to do Good, or, in other words, that every thing might be Happy according to its Nature, and by conſequence as Mankind are of a ſociable Nature, and cannot be truly Happy without Society, it muſt have been one End of that Wiſdom, that made us for our Happineſs, that we ſhould be united in Society, and therefore it muſt be our duty, not only to ſupport Society, but to do it in ſuch a Way, as is moſt for its Happineſs. (See Principle I.) And therefore all notions muſt be falſe, and all actions unlawful, that tend either to the Deſtruction, or Miſery of Society.

Prin-

PRINCIPLE V.

Fifthly, BY the Happineſs of Society is to be meant chiefly, the Security of every one's Rights, and Properties.

PRINCIPLE VI.

I WILL take it for granted, and I believe moſt men are pretty well agreed, that Government is neceſſary to the Happineſs of Society, and by conſequence it muſt be an indiſpenſable Truth, that Government ought to be maintain'd. (Principle II.) And therefore thoſe notions of Government muſt be falſe, and thoſe actions unlawful, which tend to the deſtruction of Government, that is, which tend to the making of Government precarious, and the introducing diſorder and confuſion. And if ſo,

Then, ſhould we ſo far aſcribe the Power of the Government to the People, as to give them a Right to reſume it, when they pleaſe; as this would undoubtedly make Government precarious, and tend to Civil diſcord and confuſion, this notion muſt neceſſarily be falſe, and ſuch an action of the People unlawful. But then,

PRINCIPLE VII.

Seventhly, AS Government is only a means to an End, and as the End is to be preferr'd before the means, ſo it muſt by con-

conſequence be a certain Truth, That in Government the End muſt chiefly be regarded, and therefore that notion of Government muſt be falſe, and that action unlawful, which is contrary to the End, and Reaſon of Government.

And as all men, I ſuppoſe, will agree in this, that the End of Government is the Happineſs of Society; That notion of Government muſt be falſe, and that action unlawful, that is contrary to the Happineſs of Society. And if ſo,

Then, ſhould Government be ſo far aſcrib'd to God, as to give the Prince an abſolute Authority over his People, to diſpoſe of their Rights, as he ſees fit, without any Power in the People to oppoſe it; as this muſt make the Happineſs of Society precarious, and tend to their utter miſery and ruin, this notion muſt neceſſarily be falſe. But yet, for the ſame Reaſon,

PRINCIPLE VIII.

Eighthly, SHOULD a Reſiſtance of Governors be ſo far allow'd, that upon every mere pretence of oppreſſion, or indeed upon every real injury, it may be lawful for Subjects to reſiſt; as this would not only make *Government* precarious, but would hazard the peace and happineſs of Society, this notion muſt by conſequence be falſe, and that Reſiſtance unlawful. And if ſo,

Then

Then from hence it will follow, that, as there is a Reſiſtance lawful, ſo there is a Non-Reſiſtance neceſſary both to the ſafety of Government, and the welfare of Society. And if ſo,

Principle IX.

FROM all theſe Conſiderations put together, it will follow, as a certain undeniable Truth, that that notion of Government muſt be the only true one, which ſecures the Government from the Inſults of Rebellion, and protects the People from the Oppreſſion of Tyranny.

Theſe are all the Principles I deſire to be granted; theſe I think are ſuch, as will hardly be denied; and if ſo, from theſe we may be enabled to form to our ſelves a certain, and regular Scheme of Government, ſuch as I believe, all Men will agree in, that are govern'd by right Reaſon, which is then only ſaid to be right, when it agrees with the Natures, and Reaſons of things.

To make a ſhort Eſſay of this kind, is the deſign of this treatiſe, and to do it the more clearly, it will be neceſſary, firſt, to ſhew what I mean by Government; and for this Purpoſe, I think it may not be improper to look back, and inquire after its Original, and ſearch out the Root, from whence it grew.

The

The Original of Government.

AND as to this it is certain, that whether 'twas deriv'd from God, or Men, the Original Reaſon, and Occaſion of it was, the Corruption, or Imperfection of human Nature.

For, tho' there would have been ſomething like Government in a State of Purity and Innocence, (had Mankind continued in that State) as there would have been a difference of Degrees, of Superiority and Inferiority, as of Parents, and Children, and tho' they would probably have had ſome Rules of Order, as there are ſuppos'd to be amongſt the Angels of Heaven, yet there would have been nothing like (what we call) Government now in this State of Corruption we are in; that is, there would have been nothing like a Government of Coercion.

For 'tis evidently demonſtrable from Principles of Reaſon, That the State of Man's Innocence was a State of Perfection, wherein, as Reaſon was given us for our Guide, ſo all our Powers and Faculties, our Rational Will, and Bodily Operations were intirely Subject to its direction, and therefore as there was no need of any other Laws, than what our Reaſon would furniſh us withal, in things that lay within

its reach, ſo we have no ground to think there would have been any other. But whatever Reaſon ſhould have injoin'd us, either to do, or avoid; whilſt we had continued in this Perfection, every one would have obſerv'd of his own voluntary Motion, and no ſooner would our Underſtandings have approv'd any thing as neceſſary, but our Wills would have prompted us to action.

This was undoubtedly the true State of Man's Innocence, and in ſuch a State as this is, all Government would be abſolutely uſeleſs, and unneceſſary, but that in our own boſoms.

For where men are intirely govern'd by Reaſon, there can be no Covetouſneſs, nor Ambition; no Envy, nor Ill-nature; no Jealouſies, nor Fears; no Incloſure, nor Property; no *Meums*, nor *Tuums*, but all things would naturally be common: no man would have any Right to any thing, more than another; nor any man have any Right to more than he ſhould want; nor any longer than thoſe wants ſhould continue; and every man's wants would be regulated by Reaſon; ſo that as God made enough of every thing for every one's neceſſities, ſo right Reaſon would not admit of any contention, becauſe in the nature of things there could be no Reaſon for it.

And

And had Man continued in this State, wherein every one was a Law unto himſelf, and had a Court of Chancery in his own breaſt, what need could there be of any other Laws, any other Government, but this?

But now in this our corrupted State, we have a ſtrange backwardneſs very often to what our Reaſon approves, and as great a proneneſs to what it forbids; ſo that we ſtand in need of what a State of Innocence would have had no occaſion for.

This I lay down as the Original of Government, and tho' there is no part of this notion, that I do not think I have a ſubſtantial Demonſtration for, yet I propoſe it only as a notion, which I ſhall lay no great ſtreſs upon, and whether true or falſe, it is not very material to my following deſign.

However, thus much is certain, and allow'd on all Hands, That whatever a State of Innocence might have occaſion for, Reaſon alone, in the State that we are now in, is not a ſufficient guide, and ſecurity to us: But 'tis evident, we want external motives to excite us to, and encourage us in what is good, and powerful reſtraints to keep us from what is bad; without which, conſidering the Exorbitancy of mens Paſſions, Mankind would inſult and incroach upon one another; the ſtronger would op-

preſs, and over-run the weaker, and the World would run into confuſion.

And from hence it was, either by human Contrivance, or divine Appointment, that Mankind became form'd into regular Societies for the ſecurity of each other's Rights, and Properties, and devis'd ſuch Laws of Incouragement to Virtue, and Reſtraint from Vice, as they have thought moſt ſuitable and proper for that End. And,

Definition of Government.

THE due Adminiſtration, Application, or Execution of theſe Laws, which the Society has deviſed for the ſecurity of their ſeveral Rights and Properties, I call Government; which definition, as I think it cannot be well diſputed, ſo I ſhall all along take it for granted.

What is to be meant by the Society.

BUT here it is to be obſerv'd, that when I uſe theſe Words *(which the Society has devis'd)* I do not mean by this, that all the whole Society, in every member of it, muſt be perſonally conſenting to the making of every Law, before it be enacted a Law of the Society; this cannot be in the nature of the thing, and therefore the making

king of Laws muſt neceſſarily be intruſted by every Society in ſome particular hands, and as ſome methods muſt be appointed, and ſome rules obſerv'd in the doing of it, ſo when any Law is decreed by thoſe perſons, after that method, and according to thoſe rules appointed by the Society, I call that a Law of the Society.

Thus far then, I think, the Caſe is plain, that the Original Reaſon of Government was the Imperfection, or Corruption of human Nature; and if the Security of the Rights, and Properties of the Society, is, as it is certainly, the End of all Government (Principle IV. and V.) from hence it will follow,

That the Determination of Property muſt neceſſarily have been before the ſettlement of Government; this being only a Means for the ſecuring of Property, and by conſequence Government could not be founded in any *Primary* Law of Nature, if Property it ſelf was not.

Now by a Law of Nature, I mean ſome Neceſſity in the nature of things, obliging me to do ſuch, or ſuch an action, from the relation, that that action bears to ſuch, or ſuch a neceſſary End.

And when I uſe the Word *Primary* Law of Nature, I refer to the Two different States of Mankind, the firſt before, the other after the Fall: And according to theſe

two

two different States, I ſuppoſe there are different Sorts of natural Laws, and different Rights, and Obligations.

For whatever is in the nature of things abſolutely neceſſary to our Happineſs, either to be done or enjoy'd, Nature gives us a Law, as to that thing, and not only lays an Obligation on us, but conveys a natural Right to us, either to do, or enjoy it; and as 'tis evident there are a great many more things neceſſary to our Happineſs, ſince our nature became corrupted, than before, ſo by conſequence there muſt be a great many more natural obligations, and natural Rights in this, than in the former State. And accordingly I diſtinguiſh the Laws and Rights of Nature into *Primary*, and *Secondary* Laws and Rights; and 'tis in this ſenſe that I ſay, Government could not be founded in any *Primary* Law of Nature; that is, there cou'd be no natural Neceſſity of it in a State of pure Nature, for the ſecuring of Property, if there was no ſuch thing as Property to be ſecur'd by it.

Definition of Property.

NOW by Property I mean, ſuch a Right to any thing, as to make it my own, excluſive of all others Right, or Claim to it: And that there could be no ſuch thing as this

this in a State of Purity, except in our firſt Parents themſelves, ſeems to me, I muſt confeſs, little leſs, than demonſtratively certain.

For a State of Purity is a State, where all things are govern'd by right Reaſon; and as Reaſon is then only Right, when it agrees with the natures and reaſons of things, ſo no man could have any natural Right to any thing any farther, or any longer, than as Reaſon ſhould judge he had a natural want of it; and had Mankind continued in this State of Purity, as all their wants would have been regulated by Reaſon, ſo (it were eaſy to prove, if there were occaſion) all things would have continued common, as I ſaid before.

But when this State of Purity was loſt, and inſtead of all their Operations being govern'd by Reaſon, the Fleſh began to luſt againſt the Spirit, and the Members to wage war againſt the Mind, when mens Luſts, and Appetites grew heady, and extravagant, as their wants would naturally increaſe by the increaſe of their Luſts, ſo from the increaſe of their wants, there would ariſe a neceſſity of larger ſupplies, and theſe larger ſupplies would naturally beget monopolies and incloſures, and thoſe incloſures would as naturally beget contention, and contention as naturally beget confuſion.

Now

Now whether out of an obvious ſenſe of this, Mankind might not of themſelves agree upon a certain diviſion of ſuch portions of lands, as they thought convenient for their families.

Or whether our Firſt Parents, who were the only perſons, who could have any pretence to any Property in any thing, might not make a diſtribution to their children, and allot them their reſpective portions for the prevention of diſpute.

Or whether they might not leave their Children at liberty to take what they pleas'd, and give them ſome general Rule of Property, *That whatever any one ſhould poſſeſs, he ſhould enjoy, as his own*, which we call the Law of Occupancy: And ſo as families increas'd, they might tranſplant themſelves, and whilſt they had the range of the World before them, they might take to themſelves without Injury to any one, what they ſhould find their occaſion requir'd.

Whether it might be this, or any other Way, it is not poſſible to determine at this diſtance, nor is it indeed very material to be inquir'd into, were it not to gratify our curioſity: Which way ſoever the diviſion came, 'tis certain, that one time, or other there was ſome diviſion, or appropriation made, and from this diviſion there aroſe a Property.

And

And now the great Queſtion comes in place, How Mankind happen'd to fall into this method of ſecuring their Properties, which we call Government, whether by the Appointment of God, or by the Agreement, and Contrivance of Men.

Whether Government be from God, or Man.

THIS is the great buſineſs in diſpute, and one would wonder how 'tis capable of being a diſpute, if men wou'd but examine things not with their prejudices, but their Reaſons.

I muſt confeſs, 'tis plauſibly alledg'd, that conſidering how neceſſary Government is to the welfare of Mankind, it would be an unworthy reflection upon the Wiſdom, and Goodneſs of God, to have left the World without ſuch a proviſion, as is abſolutely neceſſary to their Happineſs; and therefore ſome conclude, that Government was the Appointment of God himſelf.

This, I ſay, is very plauſibly alledg'd, and if there were any thing in Government ſo dark and intricate, as not to be diſcover'd by natural Reaſon, we may conclude it was made known by Revelation.

Becauſe he who made us to be Happy, as is already ſuppos'd, (Principle IV.) cannot let us want any thing neceſſary to our Happineſs; and if we cannot come at it in

an ordinary, we may conclude, he will ſupply us in an extraordinary way.

But there can be nothing of this nature ſuppos'd in the whole buſineſs of Government; there is nothing that can require any ſuch extraordinary Revelation concerning it.

Axiom I.

FOR 'tis ſelf evident, that Mankind, as being naturally ſociable creatures, are naturally capable of entring into Societies of themſelves, without an extraordinary Revelation; and that therefore there needs no extraordinary commiſſion from God to impower them to do, what he has already, by their very nature, directed them to.

Axiom II.

Secondly, SINCE Mankind, as is ſuppos'd, are made to be happy; 'tis ſelf-evident, that Mankind, when form'd into regular Societies, have no need of any extraordinary commiſſion from God, to make ſuch Laws as they think neceſſary to their Happineſs, theſe being only the means for the attainment of that End, that he himſelf made 'em for: And if ſo, then

Axiom III.

Thirdly, IT can be as little doubted, but that there can be no need in ſuch a Caſe,

Caſe, of any extraordiuary commiſſion from God, to give men Power to execute thoſe Laws, they had a natural Power to make; this being nothing more, but a Power to make uſe of the neceſſary means for the attainment of a neceſſary End.

Theſe are plain Truths, not capable of diſpute, and from theſe we ſhall eaſily reſolve this point. For, if Mankind needed no extraordinary Revelation to teach them to enter into Societies; and if they needed no Revelation to teach them to make ſuch Laws, as might be neceſſary for their Happineſs, and if they needed no Revelation to give them Power to apply thoſe Laws to that End, according as the circumſtances of ſuch Societies ſhould require, in which the whole notion of Government is abſolv'd; then 'tis beyond contradiction plain, That there is no Reaſon to aſcribe the Original of Government to God, ſo far as relates to the outward formation of Societies, and the making, and executing Laws.

Theſe Things, as they are within the reach of Reaſon, ſo they are ordinarily left to the determination of Reaſon, and there was probably never any Government in the world, excepting that of the *Jews*, that can in this reſpect be ſaid to be *Jure Divino*.

The Authority of Government only from God.

BUT yet it does nevertheleſs appear, and that too from this very argument I have urg'd, That the ſole foundation of this Power of making and executing Laws, and the reaſon of our obligation to ſubmit to them, is deriv'd intirely from the authority of God.

For we ſee the very reaſon of forming Societies in the way of Government, is founded in the Happineſs of Mankind, as the End, which God at firſt deſign'd, and the only reaſon of their Right to exerciſe any Power in thoſe Societies, is, its being a neceſſary means to that End.

And therefore 'tis God's having made Mankind for Happineſs, and Government's being neceſſary to that Happineſs, which is the true, and only Foundation of the authority of Government.

So that 'tis a certain, and indiſputable truth in the nature of things, that it is by God alone, that *Kings reign, and Princes decree Juſtice*, that Government in general is of Divine Authority.

And indeed, as this is the only true foundation, ſo it is the only ſure ſupport of it. For without this, I cannot ſee, how

we can give any account of Government at all.

The Authority of Government not from the People.

FOR if the Authority of Government ariſes meerly from an agreement of a People with one another, it will follow from thence, That no Governor can lawfully exerciſe any other Power over any one, than every one has a Power to agree to; and by conſequence no Government can have Power to take away Life, becauſe no man has an abſolute Power to diſpoſe of it.

But if we aſcribe the Authority of Government to God, and conſider it in the view that we have ſet it, as a neceſſary means in the nature of things for the Attainment of a neceſſary End appointed by God, we have then a Right given us by God to uſe it, as a means in order to that End, and therefore ſo far as the taking away the life of a man is neceſſary to the ſecurity of any Society, That Society has a Right to take it away, even by God's own appointment.

Nay, the argument holds good even in a private caſe, and the ſame reaſon will juſtify every man to do the ſame thing in his own defence; and as 'tis univerſally allow'd

allow'd to do ſo, ſo 'tis the only Reaſon, that will do it; but 'tis much ſtronger, when offer'd in behalf of a Society, as much as the whole is better than a part.

Beſides, if Government were founded only upon the agreement of a People one with another, as every one has a Soul and Reaſon of his own, and not only a natural Right to judge and chuſe for himſelf, but alſo to act according to his own, and not another's Judgment, any farther than it becomes his own; ſo I muſt freely own, upon this Principle, I do not at preſent ſee, how any man can be in duty oblig'd to ſubmit to any other Government, than what he himſelf approves, and agrees to; which, as it is a notion that would make Government precarious, and tends to diſorder and confuſion, we have already ſhewn it muſt neceſſarily be falſe (Principle VI.)

But if Government be founded upon the natural appointment of God, as being in the nature of things a neceſſary means to our Happineſs, it then becomes every one's duty to ſupport it, and by conſequence to ſubmit to the Laws of it, tho' perhaps he may not approve of them; and has not perſonally agreed to them; and if the Laws be ſuch, that he cannot in conſcience comply with what they command, he muſt patiently bear the penalties they inflict. And this is the meaning of that Expreſſi-

on

on of St. *Paul*, *Rom.* 13. 1, 2, 3, *&c.* which has given ſuch occaſion for diſpute; That we are to be Subject to the Laws of the Higher Powers of every Society, becauſe *all Power is from God, and the Powers that be, are ordained of God:* That is, becauſe every Society has a Power from God to make ſuch Laws, as are neceſſary for the welfare of that Society, and every Ruler intruſted by the Society with the execution of thoſe Laws, executes that Authority, that it is ordain'd by God, and therefore is not to be reſiſted in the execution of thoſe Laws.

The Authority of Government from God, but the Form from Man.

SO that to ſum up all in one word, we ſee the foundation upon which the Authority of Government is built, is, the Authority of God, who having made us for Happineſs, has thereby given us a Right to Government, as it is a neceſſary means to that Happineſs.

And therefore upon this Principle, Mankind being by nature ſociable Creatures, have naturally run into Societies of themſelves, and have linkt themſelves into common bodies, and devis'd ſuch Laws for the Happineſs of the whole, as their ſeveral circumſtances have required.

And

And as the different circumſtances of people have created different Intereſts, ſo theſe different Intereſts have created different Societies and Governments, wherein they have not only different Laws, but different Forms of Adminiſtration.

And therefore ſome Societies are govern'd by a Monarchy, others by an Ariſtocracy, others by a Democracy; and of theſe ſome are abſolute, others mixt, ſome are dependent, others independent.

So that in ſhort, as the welfare of Society is the End and reaſon of all Government, ſo the different Intereſts of different Societies is the reaſon of the different Forms of it: And as it cannot be doubted, but that theſe different Forms were devis'd by Men, ſo tho' the Authority of Government be from God, yet the appointment of the Perſons to execute that Authority is purely, and intirely the Ordinance of Man. And this gives an account of that Expreſſion, 1 *Pet.* 2. 13. *of being Subject to every Ordinance of Man for the Lord's Sake*, by which is meant, that thoſe who are intruſted with the Government of Societies in any kind of Form, are only the Ordinance of Men, but yet tho' they are ſo, they are nevertheleſs to be ſubmitted to, for the Lord's ſake, becauſe they execute that Power in behalf of the Society, which every Society has from God.

Conſequences from the foregoing Principles.

THUS far then, I think, we have clear'd our way; and if ſo, from hence we may be able to deduce ſome ſuch certain, and evident Corollaries, as will give us a juſt, and eaſy view into all the niceſt caſes relating to Government.

COROLLARY I.

The Reaſon of Power in Princes, and Obedience in Subjects.

Firſt, FROM hence we may certainly diſcover the true Nature of all Political Power, and the true Reaſon of our Obedience and Submiſſion to it.

For if it be true, as we have ſuppos'd (Principle IV.) That God made Mankind for Happineſs, and that they ſhould live together in Society: And if it be likewiſe true, as we have thence inferr'd (Page 26.) That God thereby authoriſes every Society to put themſelves under ſuch Forms, and to make and execute ſuch Laws and Rules, as they ſhall find neceſſary for their Happineſs; it will hence follow, by an obvious conſequence, That tho' it be left to the Society to judge what is neceſſary, yet the

Power of making that into a Law, and obliging others to ſubmit to it, is intirely deriv'd from God.

And as this Power muſt neceſſarily be intruſted by every Society in ſome particular hands, and ought to be executed according to ſome certain Rules, ſo whatſoever thoſe Perſons, ſo intruſted, ſhall think neceſſary to be done, the Society ought to be determin'd by; and whatever Laws they ſhall make according to thoſe Rules, are by conſequence to be eſteem'd the will and command of God; unleſs he has in time paſt, and till he ſhall in time to come, ſignify his will, that it ſhall be otherwiſe.

And as the Adminiſtration of theſe Laws muſt neceſſarily be intruſted in one, or more hands, whom we call Governours; ſo whatever theſe Governours ſhall do according to thoſe Laws, is ſo far done by the Authority of God.

And as thoſe Laws cannot be diſobey'd without ſin, ſo neither can thoſe Governours be reſiſted, or oppos'd in the execution of thoſe Laws, without rebellion, and that not only againſt them, but alſo againſt God, by whoſe authority they act.

Corollary II.

Secondly, IF Government be neceſſary to the welfare of Society, and if it be true, as we have inferr'd from thence (Principle

ple VI.) That thoſe notions are falſe, and therefore ought to be avoided, that tend to diſorder and confuſion; from hence it will follow,

Unity and Order to be preſerv'd.

THAT every Society ought to provide, and every member of that Society ſubmit to ſuch methods, as they think neceſſary for Unity and Order.

And ſince the Authority of God is the only foundation, and the only ſure ſupport of Government, and, by conſequence, of Unity and Order; and ſince 'tis evident to every underſtanding, That without a due ſenſe of this Authority of God, which I call Religion, there can be no certain baſis for Truth, or Juſtice, or Confidence amongſt Men, which are the bonds and ligaments of Society, the joints, by which its members are united; but on the contrary all falſehood, and deceit, avarice, and ambition, rapine, and violence, murther, and oppreſſion, malice and revenge will be lawful, ſo far as they can be ſecret, and without the reach of human Laws; it will follow,

That it ought to be the care of every Society, that Religion be eſtabliſh'd, and maintain'd amongſt them.

This is ſo neceſſary, that even Atheiſtical Politicians adviſe its Preſervation and Incouragement, merely out of a principle of

worldly policy, as being ſo ſerviceable to the ends and purpoſes of Government, as if it had been only the invention of men.

And therefore they who are enemies to Religion, are ſo far enemies to Society, and traytors to the Government they live under.

Unity and Order in Religion.

BUT then as Religion ought to be the Care of every Society, as neceſſary to Unity and Order, ſo it ought to be equally their Care, that Unity and Order in Religion be maintain'd.

And as Religion cannot be maintain'd without ſome Form of worſhip, and ſome Rules of Order, ſo it will follow, That in every Society, there ought not only to be ſome ſuch Form, and Rules eſtabliſh'd, but alſo that that Form, and thoſe Rules be ſo contriv'd, as far as poſſible, that every member of the Society may unite in them, and conform to them.

And ſince we have already ſhewn in the foregoing Corollary, That the Laws of a Society are to be obey'd, as the Laws of God, ſo far as they are agreeable to his Will; it will follow, That every member of a Society ought to comply with that Form of Worſhip, and ſubmit to thoſe Rules of Order eſtabliſh'd amongſt them, ſo far as they are not contrary to God's Will.

And

And therefore, ſo far as any one wilfully oppoſes ſuch Rules of Unity and Order eſtabliſht by any Society, as a means of its Preſervation, ſo far he is an enemy to the Society, and diſobedient to God, by whoſe authority they are injoin'd:

For tho' 'tis certain, that Religion, as ſuch, is not the buſineſs of Government, the chief end of which is the ſecurity of our Rights, and Properties (Principle V.) yet ſo far as Unity, and Order may be a neceſſary means of preſerving the peace, and welfare of Society, and thereby a means of preſerving the Rights, and Properties of it, ſo far it may fall under the Power of any Society, or Government, as they have a natural Right to all ſuch means, as are neceſſary to their preſervation.

And if ſo, from hence it will follow,

To Govern by Parties a falſe Maxim.

THAT it muſt be a falſe Maxim of Policy in any Society, to govern by Factions and Parties, that is, by diviſion, either in Church, or State.

For every diviſion in any degree, is in a Political, what we call a diſeaſe in a Natural Body, which as it weakens its ſtrength, ſo it tends to its deſtruction; and tho' theſe diſeaſes may be kept under by skilful heads, and ſeaſonable applications, and their natural tendency may be reſtrain'd a while, yet they

they always impair the conſtitution for the preſent, and no man can be ſure of the event.

Divide and Rule has been an antient, and 'tis a certain Maxim for a Kingdom divided againſt it ſelf, divide about what they will, whether ſacred, or civil matters; 'tis all one, ſuch a Kingdom cannot ſtand.

And as it was obſerv'd of old in the conqueſt of this Nation by the *Romans*, that our home-bred diſcords made way to it, (*dum ſinguli pugnant, univerſi vincuntur,*) ſo we may obſerve of any other people. For we rarely find any Government over-turn'd, but diviſion had a hand in the work.

And therefore 'tis the Intereſt of every Society to encourage unity, and heal diviſions.

And for the ſame Reaſon it will follow,

Diviſions in Society to be healed.

Secondly, THAT where any diviſions happen in a Society, they ought as far as poſſible to remove all occaſions of them, and apply all proper methods for the cure of 'em.

And as Unity is, as we have ſhewn, the duty of every member of a Society, not only out of reſpect to the authority of God, but alſo the welfare of Society, ſo every member of the Society ought to unite, as far as poſſible, and if out of weakneſs, they can-

cannot comply in every thing they ought, yet they ought out of duty and intereſt, to comply in every thing they can.

For where there is a Rightful Power to command, there is a duty to obey, and we ſee every Society has a Power granted them by God to injoyn every thing, that they think neceſſary for the Happineſs of the Society, and by conſequence every thing neceſſary to Unity and Order, without which Society cannot be maintain'd.

The Magiſtrates Power in Religious Matters.

BUT then, as the Authority from God is founded only in the nature of things (for we are here ſpeaking only of natural Principles, without ſuppoſing any Revelation as yet) ſo it muſt be ſuch an authority, as the nature of things will allow of; that is, ſuch as cannot command, or injoin any thing contrary to the nature of things, that is contrary to the nature of God, or Man, or contrary to the natural Relation of things with reſpect either to Truth, or Goodneſs.

And therefore, as it is evidently contrary to the Goodneſs, and therefore to the Will of God, to authorize any thing that is injurious to our innocent fellow creatures, ſo all ſuch rules of Unity and Order, as are of this nature, are abſolutely unlawful and unjuſt, unleſs it could be ſuppos'd, that the welfare of the Society could not be maintain'd,

tain'd, nor the Rights and Properties of it ſecur'd without them:

And ſo likewiſe, as it is apparently the Right of every rational creature granted by God Himſelf, nay, as it is a duty requir'd of every rational creature, that he govern himſelf by Reaſon, and by conſequence that every one ſhould judge, and chooſe for himſelf, ſo it is unlawful for any Society to impoſe any Rules of Worſhip, or Religious Order upon their members, which they in their judgment cannot lawfully comply with: Becauſe this is not only to deprive them of their natural Right of judging for themſelves, but alſo to require what they cannot do, without a breach of their duty to God.

And therefore whatever Power Societies have to put themſelves under Religious regulations, yet it can be only under this limitation, that they leave it in the power of every member of it, to comply, or not comply with them, according as they conceive them to be lawful, or unlawful, that is, that there be a Liberty of Conſcience.

But nevertheleſs where the Religious regulations impos'd are allow'd to be lawful, and no Scruple of Conſcience is rais'd againſt them, there the Society have a power to command, and the People are under an Obligation to obey, according to the Laws of Nature.

But

But here you'll ſay, If every Society has a Power to appoint what Modes of Worſhip, and what Rules of Order, they think neceſſary, they muſt by conſequence have a Power to appoint what perſons ſhall perform Religious Offices, which ſome think of dangerous conſequence to aſſert.

The Magiſtrates Power over the Prieſthood.

BUT be it how it will, it is certainly true in a State, where we ſuppoſe no other Revelation of God's Will concerning theſe matters, but the natures of things to guide the Reaſons and Operations of Mankind.

In ſuch a ſtate, I ſay, 'tis certainly true: For if Religious Offices muſt be perform'd, the perſons muſt be appointed either by God, or Man; if by God, ſince we ſuppoſe no other Revelation, but the nature of things, there muſt then be ſome commiſſion granted by God in the nature of things to ſome particular perſons, by which God muſt be ſuppos'd to have given them an Authority to execute thoſe Offices before, and above all other People: But this, I ſuppoſe, is what no man will pretend to, and therefore all thoſe things muſt be determin'd by Men according to the rules of the Society, who are left the only Judges of what is convenient, where God has not yet reveal'd his Will; and thoſe perſons who are thus dedicated to God's ſervice accord-

ing to the Rules of every ſuch Society, are as much the Miniſters of God, as if they had been ſent by an extraordinary Commiſſion from God himſelf.

But where God has thought fit to reveal his Will, there the Society are no longer Judges of theſe things: their own Reaſon is no longer their Guide, but God's Revelation; and tho' before they had a Power to do, and injoyn, what they thought fit, here they are to act as God injoins, and their Power is determin'd by the Rule of Revelation.

But then, as this Revelation is their Rule, ſo they are not to be determin'd by it any farther, than it reveals; and by conſequence where the Revelation is ſilent, there is no reveal'd Rule, and therefore there muſt be the ſame Power remaining in the Society, which they had before that Revelation was given.

And therefore, tho' every Society has a natural Power to appoint the Perſons, and preſcribe the Qualifications for Religious Offices, where God has left them only to their own Reaſons, yet if God has by any Revelation appointed thoſe Offices to ſome particular Perſons, and has given them the appointment of others under ſome certain Regulations, there the Power of the Society is limited, and they have no more

Power

Power to act contrary to this, than they have Power to act contrary to God's Will.

And indeed, as no Society can lawfully act any thing, but what they think is for the welfare of the Society, so they can have no reason to act contrary to such a revealed appointment, unless they could suppose, that God did not know what was best to be done in every Society, or would prescribe any thing, that is not for the welfare of the Society.

The Question therefore in this case is, what Revelation God has made concerning it, either directly, or indirectly, whether he has expressly appointed any particular men to execute Religious Offices before him, or whether he has given any commission to them to appoint others, and how far that commission reaches. For so far as there is such a Revelation, so far all Authority is bounded, and the Power of the Society can reach no farther, than to regulate the execution of these Offices, and to appoint such things both as to the Persons, and their Offices, as God has not determin'd by that Revelation.

And as this ought to be done by the Society, so it ought to be done in such a manner, as they shall think best for the support of Unity and Order, and the security of the Rights and Properties of the Society.

COROLLARY III.

The Rule of Laws, and the Measure of Obedience.

Thirdly, IF it be true according to the Principles we have laid down, That the Welfare, or Happineſs of the Society is the End of all Government, then it muſt be the End of every thing that is done in the way of Government, and by conſequence muſt not only be the End of making and adminiſtring Laws, but alſo the End of all Obedience, and Submiſſion.

And if ſo, from hence we are taught a certain Rule, by which all Laws ought to be made, and a certain meaſure, according to which all Governours ought to be obey'd.

The Rule of Conſcience in making Laws.

Firſt, IF the Welfare of the Society be the End, and therefore the Rule of making Laws, it ought by conſequence to be the End, and the only End of every Perſon intruſted in that concern: And tho' the perſons ſo intruſted, are the abſolute Judges of what is for the Welfare of the Society, and therefore may make what Laws they pleaſe, yet it is certainly an Abuſe of their Power, for which they are highly anſwerable to God, ſhould they oppoſe any thing, that

that they think is, or agree to any thing they think is not, for the Welfare of the Society they are acting for.

And if, as we have already ſuppos'd, (Principle 5.) The Welfare of Society conſiſts in the ſecurity of its Rights and Properties, then as the whole is made up of parts, ſo each Perſon, as a member, and part of the whole, has a claim to be ſecur'd in his Rights and Properties.

How far our Rights are to be maintain'd.

BUT then, as the whole is more valuable than any part, ſo the ſecurity of every particular perſon ought to be conſulted, and provided for, only ſo far as is conſiſtent with the Welfare of the whole.

And if ſo, no Maxims of Policy can be juſt, nor any Laws be Lawful, that deprive any one of his Right, or intrench on his Property, any farther than as the Welfare of the whole requires it.

And as the Laws, that are made for the ſecurity of our Rights, are in their nature to be ſuppos'd for the Welfare of the whole, ſo long as they are allow'd to continue in Force; ſo no man can be lawfully depriv'd of his Rights under any pretence of the Publick Good, any farther than thoſe Laws allow.

And by conſequence, ſhould any perſon, or authority whatſoever diſpoſe of the Rights

Rights of any member of the Society for any other reaſon, or in any other manner, than the Laws of the Society direct, they would not only do an Injury to him, but would alſo ſo far act contrary to the Welfare, as they act contrary to the Laws of the Society.

The Power of every Society to alienate Rights.

BUT then, as the Society has a Power to make, ſo by conſequence for the very ſame reaſon, they muſt have a Power to alter Laws, and therefore a Power to alter, or alienate our Rights.

But yet, as the ſecurity of every man's Right and Property ought to be provided for, in making Laws, as has been juſt now prov'd, ſo far as conſiſts with the Welfare of the whole; ſo it will not be Lawful, even for them, to alter any Law on purpoſe to alienate any particular Right, any farther, than as they are convinced, the neceſſary ſupport of the Society requires it.

For 'tis certain from the very nature of Government, that every member of a Society has a Right to be protected in every thing he enjoys by the Rules of the Society.

But yet it is as certain, That no man can have a Right to injure the Society, as it is certain, that the whole is better than a Part.

And

And therefore, As the End of making Laws is the ſecurity of the Rights of the Society, ſo whatever Rights thoſe Laws give any private perſon, or perſons, they are naturally ſuppos'd to be granted only ſo far, as they are conſiſtent with the ſecurity of the Publick:

And therefore whenever thoſe perſons, who are intruſted by the Society, ſhall judge any Rights, the Laws have given us, inconſiſtent with the ſecurity of the whole Society, they very lawfully may, and 'tis very expedient they ſhould, alter thoſe Laws, and alienate thoſe Rights, which they never could intend by thoſe Laws to give.

And therefore, tho' in making and repealing Laws, it be neceſſary to inquire into the Rights of the particular perſons concern'd, and how far they ſhall intrench upon thoſe Rights in their proceedings, yet where the Publick ſecurity requires any thing as neceſſary to be done, there a Private Injury ought to be no Bar againſt that, which appears to be neceſſary to the Publick Good.

But then, As that cannot be a neceſſary means to an End, where the End can be attain'd without thoſe means, ſo that cannot be ſaid to be neceſſary to the Welfare of the Publick, without which the Welfare of the Publick may be maintain'd.

And

And therefore we ought not to deprive any one of his Rights, without a due ſatisfaction to him, under any pretence of the Publick Good, where the Publick Good can be ſecured another Way.

To illuſtrate this a little, let us recollect a known Caſe. In a late Reign there was a Bill in Parliament for the Excluſion of the then Duke of *York*, from his Succeſſion to the Crown. The Laws of the Land had given him a Right, and the King, and Parliament had a Right in themſelves, to alienate that Right, if they ſhould think it neceſſary for the ſecurity of the Rights and Properties of the Society.

Now, tho' Birthright was a Popular Cry at that Time, yet that was a weak Objection to the Thing, if the Welfare of the whole required it to be done.

And therefore the proper Queſtion in that, and all ſuch like caſes ought to be, how far 'tis neceſſary to the Publick Good, that is, how far the Rights and Properties of the Society can be ſecur'd without this, or that proceeding.

And upon a ſtrict enquiry into this, had they who are the only Judges of this matter, I mean, the King and Parliament, agreed in their Opinion, and paſt the Bill, He would immediately have loſt his Right, and ſhould he afterwards have laid any claim to the Succeſſion, he would have been

been guilty of High Treaſon, and ſhould any one have pretended to aſſert his Right, he would have been guilty of Rebellion.

But ſhould the King, and Parliament have paſs'd the Bill upon any other conſideration, than as they conſcientiouſly thought it indiſpenſably neceſſary to the Preſervation of the Society in their Rights and Properties; ſhould the Parliament have mov'd it out of prejudice to the man, or the King have conſented to it for the madneſs of the People; or ſhould either have done it out of any other motive, than as they were thro'ly ſatisfied, 'twas ſo neceſſary to be done, that the Rights of the Society could not be ſecur'd any other way, they would have been guilty of great Injuſtice, and Oppreſſion.

But we had been concluded neverthelefs. For we are not Judges of their actions, much leſs their Intentions; but they are the Judges, and the only Judges of the Publick Good, and therefore we are to ſubmit to their determinations, unleſs we will make all our Laws uſeleſs, our Conſtitution and Government precarious; which, whatever notion tends to, we have already ſhewn to be Falſe (*Principle* VI.)

And thus we are directed to a certain Rule to guide our conſciences in making Laws, which is, the Welfare of the Society in the Security of their ſeveral Rights,

and Properties. And as no Laws ought to be made, but with an Eye to this End, ſo from hence it will follow,

The Neceſſity of putting Laws in Execution.

THAT whatever Laws are made, ought therefore to be put in execution, ſo as to attain the End they were made for.

'Twas a Reproach the *Romans* caſt upon the *Athenians*, that they ſhew'd their wiſdom in making good Laws, but their folly in neglecting to obſerve and execute them.

And 'twas a Juſt Reproach, no doubt. For 'twere every whit, as well to have no Laws at all, as not to have them executed, and obſerv'd.

But then, As it is neceſſary, that Laws once made, ſhould be carefully executed, ſo they ought to be executed only for the End, for which they were made; and by conſequence not in any other Senſe, than they are ſuppoſed to be made in, nor for any other End, than for the Welfare of the Society in the ſecurity of their Rights and Properties.

And therefore ſhould any perſon proſecute, or any officer execute any Law upon any member of the Society, who has offended againſt it, and is therefore juſtly liable to it, out of prejudice, or paſſion, malice, or revenge, or any other principle, but the Welfare of Society, tho' they really do

do nothing, but what the Law requires, and do actually promote the Intereſt of the Society, yet they are highly blameable for what they do; And tho' they are not blameable in reſpect of the Society they belong to, yet they are blameable in the ſight of God, who has made, not our own humour, and private reſentments, or any other thing, but the Welfare of the Society, the End of every thing that is to be done in the way of Government, whether in making, or executing Laws.

But ſhould any Perſon endeavour to pervert the natural meaning of the Law by any art, or dexterity, he is maſter of, or by any authority, he is inveſted with, and ſo get it executed in any other ſenſe, than he thinks was intended by it, he would be highly blameable upon that account, not only in reſpect of God, but the Society.

Nay, tho' he ſhould do it upon this Principle only, that he thinks it for the Welfare of the Society, that the Law ſhould be taken in the ſenſe he gives it, yet if he is ſenſible it is not the true ſenſe, that is, the ſenſe that was intended by the makers of the Law, 'tis certainly an offence againſt God, and the Society. Becauſe God has oblig'd us to ſubmit to the Rules of the Society, and the Society having appointed ſuch, and ſuch perſons, the only Judges of their Welfare, and what Laws are neceſſa-

ry for that purpoſe, we are by conſequence requir'd by God, and the Society, not only to ſubmit to the Laws they make, but alſo to the ſenſe they make them in, ſo far as it is a lawful ſenſe.

And therefore, ſo far as we ſhall endeavour to impoſe any private ſenſe upon the Law, contrary to what we think was intended by it, ſo far we endeavour to pervert the Rules, and Orders of the Society, by making the Welfare of the whole to depend upon our private Judgment.

Secondly, If the end of making, and executing Laws be the Welfare of the Society, in the ſecurity of their Rights and Properties, from hence we have a Rule for the regulation of the Laws, and the manner of the execution of 'em in every wiſe and good Government.

How Laws are to be Regulated and Executed.

FOR if this be the End of all Laws, it is not only neceſſary to every wiſe, and good Government, that there be good Laws made, but that they be manag'd ſo, as ſhall be thought beſt to anſwer the End of their making, and by conſequence ſuch as ſhall be moſt likely to be obſerv'd.

And therefore *Firſt*, As no man can doubt, but that thoſe Laws are moſt likely to be obſerv'd, which are few in number, and therefore eaſie to be known and remember'd,

member'd, and plain in their meaning, and therefore eaſie to be underſtood, ſo it ſeems to be a neceſſary care of every Society, that the Laws be as few, and as plain, as poſſible.

Laws to be Few and Plain.

A Multitude of Laws Politicians have always look'd upon, and Societies have always found, a burthen, and 'twas a complaint of *Tacitus*, that whereas *Rome* had formerly abounded with horrid, and deteſtable vices, ſo in his time, it was as much peſter'd with a multitude of miſchievous and unneceſſary Laws, which prov'd a remedy as bad as the diſeaſe.

But it is, doubtleſs, a much greater burthen to a Society, when its Laws are expreſs'd in ſuch terms, as are doubtful, and ambiguous, becauſe this will not only produce continual diſputes, but will make all their Rights uncertain, and precarious.

And therefore from hence it will follow, That 'tis the Intereſt of every Society to exclude all ſuch perſons from making Laws, whoſe private advantage it may be to perplex, and intangle the ſenſe of them.

Laws to be Gentle and Eaſie.

AGAIN, If the Laws of a Society ought to be made ſo, as that they may moſt probably be obſerv'd, then, as they ought

to

to be as few, and as plain, ſo they ought to be as gentle, and eaſie, as poſſible. And therefore,

Firſt, It ſeems to be a neceſſary care of every Society, not to make any ſuch Laws, as they know, or may reaſonably think before-hand, a great part of the Society will not ſubmit to, unleſs the Welfare of the Society ſo far requires it, as that it cannot be ſecur'd any other way.

Let the Principle upon which they will oppoſe the Law, be what it will, whether weakneſs, or perverſeneſs, 'tis all one, for ſince it will not be obſerv'd, it ſhould not be injoin'd; Becauſe ſuch oppoſition may beget confuſion, which, as it may hazard the peace and welfare of the Society, ought therefore to be avoided, as unlawful, unleſs the hazard be greater on the other ſide.

And as the Reaſon of making, and continuing Laws is the ſame, ſo from hence it will follow,

That, if they ought not to make Laws, which they know before-hand will be oppos'd, for the ſame Reaſon it does not ſeem proper to continue ſuch Laws, as they afterwards find, are ſo oppoſed;

And therefore as all Laws ought to be ſo made, ſo they ought for the ſame reaſon to be ſo alter'd, as far as poſſible, that they may be obſerv'd by All. But ſtill this is to be underſtood, ſo far only as conſiſts with the Welfare of Society. *No-*

Nothing Burthenſome to be Impos'd without Neceſſity.

AGAIN, If all Laws ought to be as gentle and eaſie, as poſſible, then it ſeems to be a neceſſary care of every Society, that no more burthens be impos'd upon its members, than are abſolutely neceſſary for the Welfare of the Whole.

And as every member of the Society is a ſharer in the Welfare of the Whole, ſo all ſuch Impoſitions ought to be ſo order'd, as that every one ſhall bear a ſhare in the burthen.

But then, as the Welfare of the Whole conſiſts in the ſecurity of the Rights, and Properties of the Society, and by conſequence as they muſt have the moſt benefit by ſuch ſecurity, who have moſt to loſe, and therefore moſt to be ſecur'd, ſo they ought to bear the greateſt ſhare of the burthens that are impos'd.

And therefore whatever burthens are laid upon the Society, ought, as far as poſſible, to be equally proportion'd, according to the ſeveral Rights and Properties of the ſeveral members of the Society.

Thus we have a Rule for making Laws, and from the ſame Principle we have,

How to Regulate the Execution of Laws.

Secondly, A Rule whereby to regulate the manner of the execution of 'em.

For

For if the End of making Laws be the Welfare of the Society in the ſecurity of their Rights, and Properties, it is not only neceſſary to every good Government that the Laws be executed with an Eye to the End for which they were made, *viz.* The ſecurity of Right and Property, but alſo in ſuch manner, as that End ſhall be beſt attain'd, and our Rights and Properties beſt ſecur'd.

We have already obſerv'd, that it is a juſt Reproach to make Laws that we never execute; but yet it is certainly the very ſame thing, whether the execution of Laws be totally neglected, or whether they be executed in ſuch a manner, as that the End, which was intended, cannot be attain'd.

For tho' a Law be never ſo wiſely contriv'd for the ſecurity of Right and Property, yet if in obtaining the benefit of that Law, I muſt ſpend more time, and be at more charge, than my Right, and Property is worth, 'tis the ſame thing to me, as if there were really no ſuch Law.

Short Injuſtice, the Perſian Proverb ſays, *is better than long Juſtice.*

And therefore it ſeems to be a neceſſary care of every good Government, that in the manner of executing the Laws of the Society, no ſuch unneceſſary delays be allow'd, as ſhall fruſtrate the juſt proceed-

ings

ings of the Law, nor any ſuch burthenſome charges be requir'd, as ſhall defeat the benefit, and intention of it.

Thus we ſee what improvements may be made of this Principle: It might be carried a great way farther, if there were occaſion, but this is ſufficient for a general hint; it furniſhes us, you ſee, with an infallible Rule for the Making and Executing Laws: And from the ſame Principle we have

The Meaſure of Submiſſion to Governours.

Secondly, A like certain Rule, by which to meaſure our ſubmiſſion to Governours, who, according to our definition of Government, are the Adminiſtrators of the Laws.

This has been the ſubject of great diſputes, and, as it has been manag'd, it has been made a matter of very great difficulty; whereas, according to theſe Principles, which I have here laid down, there is nothing capable of a more eaſy and certain reſolution.

For if the Welfare of Society be, as we have ſhewn (Principle IV. VII.) the End of every thing, that is done in the way of Government, it muſt by conſequence be the End of all Authority and Obedience.

And tho' the Authority of Government be from God, as we have ſhewn (page 29,

30, 31, 32.) and tho' Obedience be therefore due to Governours out of duty to God, from whom their Authority is derived, yet God cannot be ſuppos'd to command any ſuch Obedience to any Governour, nor nor can any Perſon pretend to exact Obedience from any People, any farther, than He is their Governour.

And therefore when any ſuch Governour ſhall ceaſe to govern them, his Right to their Obedience muſt ceaſe too.

And ſince according to our forementi-on'd definition (page 20.) Government is the Adminiſtration of ſuch Laws, as the Society has devis'd for the ſecurity of their Rights and Properties, it will follow,

That a Man muſt then ceaſe to Govern his People, when he either ceaſes intirely to act, by Death, or Reſignation, by Abdication or Conqueſt, or when he ceaſes to act for the ſecurity of the Rights and Properties of the Society he is ſet over, That is,

When he either actually invades the Rights and Properties of the Society, or lays aſide thoſe Laws that are made for their Security.

When therefore any Governour does this, as He thereby ceaſes to Govern that People, ſo that People are diſcharged from their Obedience to Him, as their Governour, and the reaſon of their Allegiance being

being ceas'd, their duty and obligation muſt likewiſe ceaſe.

This ſeems to be a neceſſary and unavoidable conſequence, and this I take to be the foundation of all Oaths to Conquerors, *viz.* That their late Governour ceaſes to govern them.

And certainly, if ceaſing to be a Governour in the Caſe of Conqueſt, will juſtify the alienation of our Allegiance, where he ceaſes to govern, not by any act of his own, not by voluntarily refuſing to govern, nor by neglecting the Rights and Welfare of his People, but is depriv'd of his Government by rapine, and violence, perhaps contrary to the inclination, and true intereſt of the People; I ſay, if this will juſtify, as all allow, the argument is much ſtronger in the caſe ſuppos'd, where a Prince ſhall voluntarily invade, or deſignedly overturn the Rights of the Society.

Unleſs any one will be ſo extravagantly abſurd, as to call that Government, which is contrary to the very notion of Government, where inſtead of adminiſtring, and executing Laws, he acts directly contrary to 'em, and inſtead of protecting and maintaining the Rights of his People, he becomes an oppreſſor and deſtroyer of them, both which are as directly oppoſite to Government, as Light is to Darkneſs, or Health to Sickneſs.

But that we may make this ſtill clearer, let us ſtate the Argument another Way;

We have already prov'd, That every Governour acts by the Authority of God; and therefore has a Divine Right to his Subjects Obedience (page 31, 32.) yet as that Right is founded upon that Commiſſion; He can by conſequence have no Right to obedience, farther than his Commiſſion reaches, and therefore where he has no authority to command, the People can be under no Obligation to obey: And if ſo,

Then ſince the Welfare of Society is the End of all Government, and ſince the Authority of Government, and the Obedience of Subjects is founded only on this bottom, as they are neceſſary to that End, (ib. page 25.) The Welfare of Society muſt by conſequence be the Bounds both of the Subjects Duty, and the Government's Authority, and therefore God cannot be ſuppos'd to allow any Government to command, nor require any People to obey, any farther than it is for the Welfare of Society.

And as the Welfare of the Society conſiſts in the ſecurity of their Rights and Properties, and as the Laws that are made for their ſecurity, are ſuppos'd to be for their Welfare, ſo long as they are in Force, ſo when any Governour ſhall invade the Rights of his Subjects, or lay aſide thoſe Laws, which are made for their ſecurity,

as

as he acts contrary to the Welfare of the Society, so he acts without Authority, and Commission from God, and therefore can have no Right to be obey'd.

In a Word, As every Governour has his Commission from God for the Welfare of his People, so that which gives him a title to their Obedience, gives them a title to his Protection.

And as He who invades the Rights of the Prince or Governour, must thereby forfeit all claim to his Protection, so He who invades, or destroys the Rights of his People, by the same reason, forfeits his claim to their Obedience.

The Rights of both are founded on the same bottom; The Welfare of the Society is the end and reason, and rule of both: 'Tis the very reason of the Authority of Government, as it is deriv'd from God, and 'tis the reason of this or that Family's being appointed to execute that Authority by the Society.

And therefore when Governours act contrary to the Welfare, that is, contrary to the Laws of the Society, they act contrary to the Reason of Government and Obedience; and that they shou'd be obey'd in such a case, is contrary to the Intention of God and Man.

And as no Governour, who is but the Administrator of the Law, can have a

Right

Right to puniſh his Subjects for not doing, what by Law it was not their duty to do, much leſs for not doing, what by Law it was their duty not to do, ſo on the other hand, no Subject can be under any Obligation to ſubmit to that puniſhment, which the Governour had not a Legal Right to inflict.

This Argument contains the Senſe and Subſtance of what is, or I think, ought to be meant, by that which is ſo often talk'd of in this Diſpute, viz. *a Prince's breaking the Original Contract*, that is, his acting contrary to the Original Reaſon of Government.

For as the End and Reaſon for which all Rulers were originally intruſted with their power and privileges by their reſpective Societies, and for which ſuch Societies put themſelves under their ſeveral reſpective Forms of Government, was the ſecurity of their Rights and Properties; ſo whoſoever firſt took that Truſt upon him, took it for this End, and upon this Condition; and by conſequence there is a Tacit Contract ſuppos'd in the very nature of the Truſt it ſelf, That upon his diſcharging his duty to them, they will be under ſuch obligations to him, becauſe 'tis given by the People, and taken by the Prince for this very End and Reaſon. And as this End is the foundation of all Government;

ſo

ſo where-ever any Government is, this Tacit Contract is neceſſarily ſuppos'd to go along with it, as being founded in the very nature of the thing: And as this Tacit Contract is the Bond of Union between the Governour and the People, ſo when this contract is broke, the Bond of Union is broke; and by conſequence the Society is as much diſcharg'd from the obligations of that Union, as if that contract had never been made.

And as a Prince muſt neceſſarily be ſaid to break his contract, and by conſequence diſſolve his Union with his People, when he willfully and deſignedly acts contrary to the end and reaſon of his Truſt; ſo his People are by conſequence diſcharged from their obligations to him, and may lawfully defend themſelves againſt him.

And therefore in ſuch a caſe 'tis undoubtedly certain, That Governours may be lawfully oppos'd, and reſiſted.

Thus far muſt be true in general.

What Reſiſtance of Governours may be Lawful.

But the Queſtion is, what kind of Reſiſtance this muſt be; for ſome ſort of Oppoſition and Reſiſtance, all men allow.

All men allow, That ſhould a Prince command any thing unlawful, either by the Laws of God, or his Kingdom, we are obliged

obliged to diſobey; which is a kind of Oppoſition, and Reſiſtance.

Or ſhould a Prince invade our Rights, where the Law has provided a remedy in the Caſe; all Men allow, that it is not unlawful, to oppoſe that invaſion in the way of the Law, and to make uſe of that remedy againſt the Prince.

This therefore is not the Reſiſtance in diſpute; but the Queſtion now is, what we may do, as to a forcible Reſiſtance of him, ſo that ſuppoſing a Prince ſhould invade the Rights of his ſubjects, where they can have no remedy by Law, or ſhould command any thing unlawful to be done, and make them ſuffer in their Rights for not obeying, how far they are oblig'd to ſubmit to that ſuffering, or whether they may oppoſe and reſiſt him by violence.

Now in Anſwer to this, I will only obſerve, That if according to the 4th and 5th Principles, The Welfare, and by conſequence the Rights and Properties of the Society ought to be maintain'd, then we muſt have a Right by the Law of Nature to all thoſe means, that are abſolutely neceſſary to that End, which all Societies are oblig'd to maintain, (Principle IV.) and by conſequence any ſort of Reſiſtance muſt be Lawful, ſo far as it is neceſſary to the ſecurity of our Rights and Properties.

But

But then, as that only can be ſaid to be neceſſary to an End, without which that End cannot be attain'd; ſo that Reſiſtance only can be Lawful, without which our Rights and Properties cannot be ſecur'd.

When therefore any Prince invades the Rights of the Society, or lays aſide thoſe Laws, which are made for their ſecurity; and the Society has no imaginable way left to maintain thoſe Laws, and to ſecure and defend thoſe Rights, but by open and violent Reſiſtance, that Reſiſtance is by conſequence neceſſary, and lawful.

But here then the Queſtion will be, what Rights thoſe are, which be of ſuch Importance to the Society, as that its Welfare cannot be ſecur'd without them?

For we have already obſerv'd in the Eighth Principle, that tho' it be lawful to reſiſt in caſe of Oppreſſion, yet it is not ſo in every Oppreſſion.

For 'tis very certain, a Society may have Rights, which tho' they ſhould be invaded, yet are not ſo eſſential to its Welfare, as that when they are loſt, the Welfare of the whole muſt be deſtroy'd.

The Welfare of the whole conſiſts undoubtedly in the Welfare of its parts, and therefore the Rights of the parts are the Rights of the whole in ſome ſenſe; but yet it would not be Lawful for a Society to take Arms upon a private Injury and

Oppreſſion, even tho' there ſhould be no other way to get it redreſs'd.

Becauſe this may be done either thro' raſhneſs or neglect, or the Prince may be miſtaken or miſled; or if not, however the Welfare of the whole does not depend upon a private injury, and the Prince himſelf may nevertheleſs be very intent upon the Welfare of the whole.

But ſuppoſe the Injury be publick and univerſal, and the Prince invades the Rights of the Society in common, yet there are likewiſe ſome common Rights of the Society, which their Welfare does not ſo depend upon, as that their Happineſs ſhall be deſtroy'd by the loſs of 'em.

For perhaps their Rights may be only invaded in ſome few ſingle inſtances, without any viſible deſign to ſubvert the conſtitution of the Society.

Or perhaps it may be only in ſome ſuch caſes, which if continued, might be of dangerous conſequence, and tend to the deſtruction of the Society, but ſingly are no great oppreſſion in themſelves.

And therefore in ſuch caſes it would not be lawful to riſe againſt a Prince, becauſe the Welfare of the whole does not require it; Nay the Welfare of the whole requires the contrary, becauſe this would make all Government precarious, and deſtroy all Peace and Order in Society.

But

But where the Prince or Government ſhall deſignedly invade the Rights of the Society without redreſs, and by the courſe of his proceedings ſhall evidently ſhew, that he intends to invert the conſtitution, ſo that whereas there are Laws made, as Rules for him in the preſervation of their Rights and Properties, he will not make thoſe Laws, but his own Will, his Rule, by the means of which the Welfare of the Society will become precarious; by the Sixth and Seventh Principles it will be lawful for the Society to relieve themſelves.

But then it muſt be with this proviſo, That the remedy be not worſe than the diſeaſe.

For if the methods we take to right our ſelves, will in human probability make the Society more unhappy, than our ſuffering the preſent Injuries from the Prince will do; we have then a greater obligation to ſuffer, than reſiſt, and that from the very reaſon of our Reſiſtance, *viz.* The Welfare of the Society.

And therefore ſince 'tis plain to all mens Obſervation, That a violent and tumultuary Reſiſtance of Princes is commonly attended with war and deſolation, blood and ruin, it will follow,

That whatever we ſuffer from our Princes, unleſs the injury and oppreſſion be of ſuch great importance to us, as to coun-

tervail the hazard of theſe conſequences, and ſad effects of our Reſiſtance, we are oblig'd to ſuffer and ſubmit to them; becauſe 'tis more for the Welfare of the Society ſo to do, as 'tis better, of the two evils to chuſe the leaſt.

And tho' they happen to have the burthen continued upon them for ſome time, tho' it be ever ſo long, yet if they are oblig'd to conſult the Welfare of the Society, they are oblig'd to ſuffer ſtill, either till they have a proſpect of righting themſelves without the hazard of thoſe diſmal effects of their Reſiſtance, or elſe till they are like to be as miſerable by their ſuffering, as they can probably be by their Reſiſtance.

And that a Society may certainly be in many caſes, but eſpecially when their Religion is at ſtake, the preſerving of which, as it is of more and greater conſequence, than the loſs of all other things beſides, as much as the ſoul is better than the body, ſo it will be always a juſt reaſon for Reſiſtance, whatever the Society ſuffer by it.

But when I ſpeak of Religion here, I muſt not be underſtood to ſpeak of the Religion of ſome particular perſons only:

For if every private perſon had a power to raiſe an inſurrection againſt his Prince, upon the account of his Religion, this would open a gap to continual Rebellion, and therefore muſt be falſe by the Sixth

and

and Seventh Principles, becauſe it would make all Government precarious, and hazard the Peace and Welfare of Society.

And therefore it is to be obſerved, That as I am all along ſpeaking of the Rights of the Society, ſo when I ſpeak of their Religion, I mean, the Religion of the Society, that is the national eſtabliſh'd Religion: And this is then only ſaid to be at ſtake, when the Laws that are made for the ſecurity of that Religion are laid aſide, and ſuch methods are viſibly taken for the introducing a contrary Religion, as are contrary to Law in an Arbitrary Tyrannical way, without the conſent and contrary to the judgment of the Society.

And therefore in ſuch a caſe, every Society has a power to defend their Rights, which the Prince is endeavouring to take away, becauſe the conſequence of not Reſiſting, may tend more to the Miſery of the Society, than the conſequences of Reſiſting can do; as much as the loſs of Heaven to themſelves or their poſterity, is of more importance and concern to them, than the loſs of all other things beſides.

And if ſo, from hence it is plain, that the foundation of Government, Obedience and Reſiſtance, is the ſame: They all ſtand upon the ſame foot, and are all branches of the ſame root, and there is the ſame reaſon for All, as there is for any of 'em.

And

And therefore, if it be a good argument for the Divine Authority of Government, as we have before ſhewn, (*Page* 31.) That it is a neceſſary means to the Happineſs of the Society, a neceſſary End appointed by God in the very nature of things; it will follow, that it muſt be as good an argument of a Divine Commiſſion for Reſiſtance, when 'tis a neceſſary means to the ſame End, which, as it is the only thing that can make it Lawful, ſo it is the only Rule to judge by, when and how far it may be ſo.

But who ſhall be judge of this neceſſity, is the Queſtion; and it has always been the great difficulty in ſtating this controverſie.

But after all, I take it to be ſuch a difficulty, as has ariſen chiefly from the manner of ſtating and handling this point.

For many, who have wrote upon this ſubject, have, too commonly, contented themſelves with what they thought a confutation of the doctrine of Non-Reſiſtance in general, from thence inferring the lawfulneſs of the contrary; but not having determin'd the juſt bounds, how far we are oblig'd to ſuffer, before it can be lawful to Reſiſt, they have left the point they contend for, altogether uſeleſs, if not dangerous.

For

For tho' it be lawful to Reſiſt in caſe of oppreſſion, yet we have ſhewn it is not ſo in every oppreſſion (*Principle* VIII.) and therefore, unleſs they ſhew us, how far we are to bear oppreſſion, before we Reſiſt, they really do nothing to any purpoſe, but on the contrary, put a ſword into madmens hands, and ſet open a door to Rebellion, and Confuſion.

They ſhew us indeed a remedy for our grievances, but 'tis ſuch a one, as we had as well be without, as not to know when, and how to uſe it, without the ſame danger, as when we had it not: And 'tis this, that has given occaſion for this puzzling Queſtion, Who ſhall be Judge?

Whereas, as we have here ſet the caſe, there does not ſeem any room for this objection.

For, as we have here laid down a Rule, by which we are to meaſure our Submiſſion to Princes, every one muſt be a Judge of Reſiſtance, ſo far as he is a Judge of this Rule.

And therefore, ſince we have here ſhewn, that it is not lawful to make head againſt our Prince upon a private injury, nor,

Secondly, For a publick, unleſs it be of dangerous conſequence to the Conſtitution, and ſuch as is notoriouſly intended for its deſtruction,

deſtruction, and ſuch too, as he refuſes to redreſs; nor,

Thirdly, Even then, unleſs the damage the Society actually does, or which is the ſame thing, unavoidably will, ſuffer by it, if not prevented, be as great a miſery to them, as the conſequences of their Reſiſtance will probably be.

And ſince this may happen in Civil matters, but eſpecially when Religion is at ſtake, which it certainly is, when the Laws that are made for its ſecurity, are laid aſide, and another contrary Religion introducing, by methods contrary to Law, without the conſent, and againſt the judgment of the Society,

1. Then, As every ſenſible honeſt man, who underſtands the Conſtitution and Laws, is capable of judging of theſe things, that is, is capable of judging when a Prince is acting contrary to the Laws of the Eſtabliſh'd Religion, and ſetting up another in its ſtead;

2. And as every ſenſible man is capable of comparing the preſent injuries the Society ſuffers, with blood, and plunder, and all the ſad conſequences of Civil War;

3. And as every ſenſible man is capable of judging whether there be a proſpect of righting themſelves without the hazard of theſe ſad conſequences;

So

So every ſenſible man muſt by conſequence be capable of judging, when it may be lawful to Reſiſt.

But tho' every ſenſible man may be a competent judge in this caſe, to the ſatisfaction of his own conſcience, yet in ſuch a Government as ours is, where the Intereſts of the People are intruſted in ſome particular hands, as amongſt us in Lords and Commons, who have a Right in the diſpoſal of affairs; as they are therefore the beſt and the proper judges, how far the Rights of the Society are invaded, and what is neceſſary for their ſecurity; ſo it ſeems but natural to conclude, where a Parliament can be had, that no Reſiſtance ought to be made, till the Parliament has declar'd their unſufferable grievances, and ſought unſucceſsfully for redreſs.

And therefore, 'tis the intereſt of the Society to have frequent Parliaments, as a neceſſary means of ſecurity to the conſtitution. For as the conſtitution cannot well be ſuppoſed capable of being overturn'd upon a ſuddain, ſo in the caſe of any Injury to the Society, by frequent Parliaments, we can never be without a convenient opportunity, and a proper method of relief.

But as it was not ſo in former Reigns, ſo where the Judgment of Parliament could not be had, every man was then to judge

for himſelf, and to act according to his conſcience.

But then, as the proper method for redreſs of grievances in a Parliamentary Monarchy, is by the way of Parliaments; ſo by conſequence, in caſe of an injury, or oppreſſion from our Princes in thoſe times, the firſt thing every one ought to have endeavour'd after, was, the Liberty of a Parliament; which if the Prince would conſent to, then all other extraordinary methods would be unlawful; For 'tis the neceſſity of Reſiſtance that alone can make it Lawful.

And as that can never be a neceſſary means to an End, where the End can be attain'd without thoſe means, ſo that can never be neceſſary to the ſecurity of the Rights and Properties of the Society, without which they may be otherwiſe ſecur'd; and by conſequence Reſiſtance can never be ſaid to be neceſſary, where the Prince is willing to redreſs the grievance, and conſent to any other reaſonable means of their ſecurity.

And therefore, could it be ſuppos'd that the Lords, and Commons could agree to declare for Reſiſtance in ſuch a caſe, that Declaration would doubtleſs be unlawful.

And tho' they muſt be ſuppos'd the beſt Judges of the ſeveral Intereſts of the Society, yet as they are but a part of the

Society,

Society, we are not oblig'd by the Rules of the Conſtitution to act according to their Judgment, any farther than we our ſelves are ſatisfied, 'tis Lawful, and by conſequence we cannot be oblig'd to Reſiſtance by any Declaration they ſhould make, any otherwiſe than we our ſelves ſhould judge it neceſſary.

There may be many caſes, where I may be oblig'd not to act without the Judgment of others; but there can be no caſe, where I can be oblig'd to act againſt my own, where the morality of the action is in diſpute.

And ſince we have already ſhewn, that every ſenſible man is capable of Judging, when it may be Lawful to Reſiſt, and thereby ſatisfie himſelf in joining with any Declaration of Parliament, where it can be had, or in uſing any other methods, he thinks to be neceſſary, where the Judgment of Parliament cannot be had, he ought not by conſequence to join with any ſuch Judgment of Parliament, any farther than he is convinced within himſelf it is a Juſt and Lawful Judgment, and may Juſtly and Lawfully be join'd with.

As this is a Matter of the laſt importance, ſo we ought to be very wary how we act in it, and therefore we ought never to venture on an attempt of this nature, without being ſure of the ground we go on.

A wiſe and good man would not do any thing, that may reaſonably be doubted, whether it be Lawful; and therefore tho' we are as certain, as we can be of any thing, that Reſiſtance is Lawful, yet we ſhould in prudence, *rather chooſe to ſuffer too much, than Reſiſt too ſoon.*

The utmoſt degree of what is Lawful, is the very edge of ſin, and one would not willingly come ſo near, as to ſplit the hair.

And therefore whenſoever we think it neceſſary to Reſiſt, the Neceſſity of our Reſiſtance ought to be very certain; The Injury ſuffer'd ought to be ſo very notorious, that every eye may ſee it, and the danger to be prevented ought to be ſo very apparent, that no reaſonable man can doubt of it.

For this is a remedy for the diſeaſes of the Body Politick, like thoſe, that are ſometimes uſed for the Natural Body, which either Kill, or Cure; and therefore we ought to be tender in the Uſe of 'em, unleſs it be in an evidently dangerous, and deſperate caſe.

But tho' in ſuch a caſe a People may have a Right to Reſiſt, yet here a material Queſtion will ariſe, Whether a People may not give away their Rights, and by conſequence their Right of Reſiſtance?

For ſince, as we have before ſhewn, (Pag. 33, 34.) every one is oblig'd in duty

to

to God to obey the Laws of the Society, ſo far as they are agreeable to the Will of God; if the Society has made a Law to forbid Reſiſtance, and thereby given away their Right to it, it muſt be therefore unlawful to Reſiſt, ſo far as they had a Power to make that Law, and give away that Right.

But that they have not a Power to make ſuch a Law, and give away this Right, is as certain a truth, as that they have not a Power to act contrary to the Will of God.

For we have already ſhewn (*Principle* IV.) That it is the Will of God, that the Happineſs of Society be maintain'd, and by conſequence, that ſuch Reſiſtance be made by every Society, as in the nature of things is abſolutely neceſſary to ſecure and maintain their Happineſs. And therefore for any Society to make a Law againſt all Reſiſtance abſolutely, is to forbid that, as unlawful, which God has made neceſſary; and therefore to do that, which they have not a Power to do, becauſe 'tis contrary to the Will of God.

It may ſeem ſtrange to ſome to ſay this, which is a Doctrine ſo contrary to the common prejudices; but we ſee it muſt be ſo in the nature of things, if the Welfare of Society ought to be maintain'd.

But yet it may be plauſibly urg'd in this caſe, That every one has a Power to diſpoſe

poſe of his own, and if he thinks fit, may make himſelf a ſlave; he may either give away his Rights and Property, or he may oblige himſelf not to defend 'em, whenever they ſhall be taken from him; And what a man may do of himſelf, he may do by another, that is duly commiſſion'd to act for him; and whatever is ſo done by another for him, lays as great an Obligation on him to perform it, as if it were done in his own perſon.

And therefore, as in every Society, there is a neceſſity, that the affairs of the Publick be intruſted in ſome particular hands to act for the whole; ſo whatever thoſe Perſons ſo intruſted do for the Society, muſt be underſtood, as done by the whole, and to lay as great an obligation on every member of the Society, as if it had been done by themſelves in perſon: And therefore if they make a Law to give away our Rights, or forbid the neceſſary defence of 'em, every member of the Society is by conſequence to be ſuppos'd under a neceſſary obligation to keep that Law.

But in Anſwer to this; Tho' it muſt be allow'd, as an undoubted truth, That every one has a Power to diſpoſe of his own Rights, ſo far as they are his own, conſider'd ſimply, and of himſelf alone; yet if he be conſider'd relatively, as a member of Society, ſo far as the Rights

of

of others depend upon his defending and maintaining his own; they are not then intirely his own, and he has no ſuch Right to give 'em up, but on the contrary, is under an Obligation to defend 'em, it being the duty of every member of the Society, to do what is neceſſary to the Welfare of the Society.

This may be illuſtrated by the Caſe of the Robber who takes away our goods, tho' the goods perhaps be ſuch, as we are content to loſe, and give up our Right to, rather than proſecute the offender; yet ſo far as the non-proſecution of the offender, may be of ill conſequence to Society, as we are members of Society, and oblig'd to ſupport the Welfare of Society, we are under an obligation in conſcience to proſecute, and the Society has a Right to that proſecution. And ſhould an Oath be given us not to proſecute, that Oath, wou'd be *Ipſo Facto* void, as being an Oath againſt a Prior Obligation, an Oath againſt doing Juſtice, and therefore an unlawful Oath.

And by the ſame reaſon, if Reſiſtance be a real Duty, and a Right, which in caſes of neceſſity the Society may demand of us, when an Oath of Allegiance is given to Subjects, it muſt be underſtood in ſuch a ſenſe, as 'tis Lawful to be perform'd in, and by conſequence in ſuch a ſenſe, as to allow of ſuch Reſiſtance, as the Society has

has a Right to, otherwiſe it would be an Oath to the Prince to do wrong to the People, and therefore an unlawful Oath, and by conſequence, *Ipſo Facto* void.

And ſo likewiſe as to the other part of the argument, tho' a man may do that by another, which he has a Power to do of himſelf, and is as much oblig'd by what is ſo done, as if it were done by himſelf, yet nothing can be ſaid to be done by another for us, ſo as in Equity and Reaſon to lay an Obligation on us any farther, than as he who does the thing, is impower'd and commiſſion'd by us; or as the thing he does, is agreeable to the End and Reaſon of that commiſſion he receiv'd from us.

Should an Attorney for Inſtance, or a Guardian, that is impower'd to act in our ſtead in the ſecurity of our Rights, give away thoſe Rights he was impower'd to preſerve; it cannot be ſaid, he had a commiſſion to do this, or that this ought to oblige in reaſon, and conſcience, where we have a power to help our ſelves. And for the ſame reaſon, tho' in every Society, the Rights of the whole are ſuppos'd to be intruſted in ſome particular hands, yet as this is done only for ſupport of Government, the End of which is, the Welfare of Society in the ſecurity of their Rights and Properties; it will follow, that thoſe perſons ſo intruſted to act for the whole, are

not

not to be underſtood to have any commiſſion to do any thing, that is contrary to the End and Reaſon of their truſt and commiſſion; and by conſequence they muſt be underſtood to have no commiſſion, and therefore no Right to inſlave the Society, by giving up their common Rights and Properties, or forbidding us to defend 'em in a caſe of neceſſity, this being contrary to the very End and Reaſon of that Conſtitution, by which they are impower'd to act for the Society. They have a power, no doubt, to give away any Right, the alienation of which is abſolutely neceſſary to the Welfare of the whole, and if we could ſuppoſe we had any Right granted to us, of reſiſting our Governours in any ſuch manner, or for any ſuch Reaſons, as is inconſiſtent with the Welfare of the whole, they have, doubtleſs, a Power to give it away, (and if they ſhould not give it away, 'twou'd be void in it ſelf, as being in the nature of things unlawful;) becauſe, by the Seventh Principle, any action is unlawful that is contrary to the Welfare of the Society: But to give away all our Rights and Properties at once, or, which is the ſame thing, to forbid us the means, that are ſo neceſſary to their preſervation, that they cannot be ſecur'd without them, this they have no more Power or Right to do, than they have a Right to authorize

Thieves and Murtherers to take away our lives, or goods, or to oblige us not to defend our ſelves againſt them.

The caſe is the ſame both with Prince and People; for as the Prince, who is the Miniſter of God for good, cannot be ſuppos'd to have any commiſſion from God, to ruin or deſtroy his people; ſo neither can they who are intruſted with the affairs of any Society to contrive and manage for the Welfare of the whole, be in reaſon ſuppos'd to have any commiſſion to give away their Rights or Properties, in which their Welfare does conſiſt. (Principle V. P. 14.)

But on the contrary, they are oblig'd in Duty to God and their Country, to maintain and defend their truſt, and by conſequence are oblig'd to ſuch Reſiſtance, as is abſolutely neceſſary to that End.

This is ſo very plain a caſe, that I dare appeal to any one's common Reaſon, tho' never ſo great a Bigot to his Notions, whether he ſhould not think it a Trayterous and Unlawful part, ſhould they who are intruſted with the Intereſts of a Society, knowingly and wilfully give 'em up into the abſolute diſpoſal of their Prince: And if it be unlawful to give them up, it muſt be then their duty to defend them, and by conſequence it muſt be equally their duty to defend them by all ſuch ways and means,

means, as are abſolutely neceſſary for their defence.

And therefore, as I ſaid before (page 73, 74.) in all ſuch Governments, as ours is, where the Intereſts of the Society are intruſted with a Parliament, as they are oblig'd in duty to defend them, ſo in a regular courſe of things, where a Free Parliament can be had, the Firſt Defence of our Rights ſhould begin there, and nothing ſhould be done by others, till they have us'd their beſt endeavours for redreſs.

And if a Free Parliament cannot be had, or if they have endeavour'd for relief in vain, then every one muſt be left to his own conſcience, to act as he thinks beſt for the Welfare of the Society, according to the foregoing limitations; (page 71, 72.)

Thus, I think, we have a full reſolution of this Point, and ſuch a one as ſeems impoſſible to be falſe, if my foregoing Principles be true.

But yet, I'm very ſenſible, notwithſtanding this, there are many with whom this doctrine of Reſiſtance will not reliſh, by reaſon of that impious, and horrid abuſe of it in the barbarous murther of King *Charles* I.

As there are others, on the other hand, who are as much afraid of Non-Reſiſtance,

leſt it ſhould ſtrike at the Revolution in favour of King *William*.

Whereas 'tis evident, theſe extremes in opinion can never be juſtified on either hand.

For we have already ſhewn, there is a Lawful Reſiſtance, tho' it may be abus'd; and there is a Non Reſiſtance neceſſary, tho' it be often miſtaken; and the light we have now ſet them both in, will give us a juſt view of thoſe events, the one of Great and Glorious, the other of Scandalous and Execrable Memory.

The Late Civil War condemn'd.

Firſt, According to the Principles here laid down, we have a horrid Idea ſet before us of the deteſtable Murther of King *Charles* the Firſt, and the ierrgular and unjuſt proceedings of the People in that unnatural Civil War.

For, *Firſt*, We have ſhewn, that a few ſingle Inſtances to the prejudice of a people, is not a ſufficient cauſe of Reſiſtance, if the Prince, upon the people's putting in a claim to their Rights, and informing him of the wrong, is willing to redreſs the Injury; and if he ſhou'd not be willing to do this,

Secondly, We have ſhewn (page 66, 67.) That even then it will not be lawful to reſiſt, unleſs the Injury be a greater miſe-

ry

ry to the Society, than the conſequence of Reſiſtance is like to be. And if ſo,

Then nothing can juſtify that Civil War. For tho' it muſt be confeſs'd, that ſome irregular actions were done by the King, yet it muſt be confeſs'd too on the other hand, that they were ſuch, as he was advis'd were lawful to be done, and ſuch as when done, were no great oppreſſion in themſelves.

And as for the bad conſequences of his proceedings in thoſe particulars, when his people expreſs'd their uneaſineſs at them, and put in a claim to their Rights in Parliament, he was not only willing to redreſs their preſent grievance, but to comply with any means, that could be thought reaſonable to prevent any future inconvenience: And this he did in ſo full a manner, that even the then pretended Parliament themſelves voted his conceſſions ſatisfactory.

And when he had done this, as Reſiſtance could be no longer neceſſary, ſo it could by conſequence be no longer lawful.

And therefore to proceed in the manner they did, muſt be Rebellion in the higheſt degree, or elſe there could be no ſuch thing in nature.

But granting he had made no ſatisfaction to his people, nor given any new ſecurity for their Rights and Properties; nay, ſuppoſing he had continued to oppreſs them,

yet

yet we have further ſhewn, that in ſuch a caſe, the King only forfeits his Right, and ceaſes to Govern his People, and by conſequence can forfeit no more than his Government.

As He refuſes them his Protection, ſo they may refuſe him their Obedience, but this does not give them any Power over his Perſon;

And therefore for them to put him to death, even tho' they had been the whole body of the people, but much more for a few particular perſons to do it, and that too contrary to the general ſenſe of the people, muſt be murther in the higheſt degree, or there can be no ſuch thing in nature.

This is not only true from the Principles laid down; but it is alſo evident, even from our famous *Magna Charta*, ſo often quoted to juſtify Reſiſtance; even this puts the Perſon of the King out of the People's Power, even whilſt it gives them a Power to diſtreſs him in his Caſtles, or uſe any other means for their ſecurity; and ſure if this be of any authority, the King has as much Right to the benefit of it on his part, as the People can pretend on theirs; and if it gives them a privilege to ſecure their own Rights, ſo it gives him a Right to be ſecured in his Perſon.

So

So that this muſt be a horrid and deteſtable wickedneſs, if Murther and Rebellion be ſo:

And therefore they who pretend to juſtify this Fact, muſt be men of barbarous and cruel Minds, and govern'd more by their paſſions than their conſciences.

If ſuch Principles and ſuch Practices upon ſuch Pretences were to be allowed, they would make the Rights of Princes and the Peace of Society, the moſt precarious thing that can be, and lay us open to the Inſults of every *Maſſinello*, who has but impudence enough to charge the Government with Popery or Tyranny, or being in a *French*, or *Dutch* Intereſt, and cunning enough to time it with ſome popular diſcontent.

And therefore as by the Sixth Principle already laid down, theſe notions muſt neceſſarily be falſe, and ſuch facts unlawful; ſo they ought to be abhorr'd and diſcourag'd by every wiſe and good Man, who has any regard to his duty or intereſt, to the Society's peace, or his own ſafety.

But tho' our notions of Government do thus evidently demonſtrate the unlawfulneſs of thoſe practices in the late Civil Wars, yet they do,

The Revolution juſtified.

Secondly, As fairly juſtify the late Revolution.

For if it be lawful to oppoſe a Prince, and withdraw our Obedience, as we have ſhewn, (page 67.) when he either invades the Rights of the Society, or lays aſide thoſe Laws that are made for their ſecurity, and eſpecially when our Religion is at ſtake.

And if our Rights and Religion were at ſtake, when we ſaw all our mounds pull'd down, and our incloſure laid open, and a contrary Religion ſetting up amongſt us; when a diſpenſing Power was maintain'd to void all the Laws that were made for our ſecurity, and ſuch Perſons put into Places of Truſt, as our Laws forbad to be intruſted: When our Properties were to be held at the Will of the King, who evidently ſhew'd, it ſhould be no longer than he ſhould find it for his purpoſe not to deſtroy them.

If our Rights and Religion were at ſtake, when Popery was planting it ſelf in our Univerſities, and the members depriv'd of their Legal Properties contrary to *Law*, for not doing that, which was contrary *to their Oaths*, to make room for Papiſts unqualified *by Law*, and all this with a High Hand by the bare Authority of the King, only becauſe he would, and for this End only, as was notoriouſly evident, that he might corrupt the fountain, from whence our

Religion

Religion is to be nouriſh'd and ſupported, and the lower ſtreams to be ſupplied.

If our Rights and Religion were at ſtake, when under theſe Oppreſſions, the injur'd ſubjects put in their claim to their Rights by humble and obedient Petitions, which was the only method in their power, becauſe a Free Parliament could not be had, but all without any redreſs or proſpect of it; nay with an aſſurance of the contrary from the King himſelf, who, tho' they endeavour'd to convince him of his error, that he was acting contrary to Law, yet nevertheleſs declar'd, he would be obey'd.

And when all theſe proceedings were ſupported by the Power of a ſtanding Army, without the conſent, and contrary to the Judgment of the Parliament, and ſome part of that Army commanded by Popiſh Officers, and a great Part of it made up of *Iriſh* Papiſts, who were by Intereſt and Principle engag'd to deſtroy, both our Properties and Religion.

If our Rights and Religion were at ſtake in theſe caſes, as no reaſonable man can, and, I believe, no unprejudiced Man will, and I'm ſure, in thoſe times no ſenſible man did queſtion, but on the contrary, the circumſtances were ſo notorious, and the danger ſo apparent, not from one, or two ſingle Inſtances, but from a continued Series of Actions, that every heart was

fill'd with Fears, and Complaints were heard in every mouth, Then certainly we had, or there can be no ſuch thing, as a juſt and lawful Cauſe of Reſiſtance. And if it was juſt to proceed thus far, conſidering the Prince we had to do withal, was not only inflexibly bigotted to Popery, and reſolutely bent upon the ruin both of our Religion and Conſtitution, but one, who could be bound by no ties of conſcience, as being regardleſs both of his Promiſes and Oaths, and therefore could neither with ſafety nor prudence be confided in; it muſt therefore be neceſſary in the nature of things, and by conſequence, be juſt and lawful, if the Welfare of the Society ought to be ſupported in the ſecurity of their Rights and Properties, to ſeek out ſome other methods to ſecure them by: And ſince they, who were then intruſted with the Rights of the Society, and were the proper, and only Judges of what was beſt for the Society, eſtabliſh'd the Crown upon a Proteſtant Prince, as the beſt, and as it was apparently the only way to ſecure the Rights and Religion of Proteſtants, againſt the like attempts and hazards for the future; it muſt by conſequence be the duty, as well as 'tis the intereſt of every member of the Society to ſubmit to it. (COR. I. page 33.) had it ſtood upon no other foot but this.

But

But the Right and Title of his preſent Majeſty, does not depend upon this alone: He Injoys his Crown by an Hereditary Right devolv'd upon Him from the Princeſs *Sophia*. And this Right was ſettled and confirm'd to Her by all that Legal Power and Authority, that can give any Right in any Society, that is, by the Power of the Crown, and Parliment, with whom all the Rights of our Society are lodg'd.

So that if His preſent Majeſty has not a Right to Govern us, it muſt be either upon this account, that the Crown and Parliament, have not any Right to determine the Succeſſion of the Government, or elſe that the Succeſſion has not been Legally ſettled by a Lawful King, and Parliament.

This is the hinge of the whole diſpute; And as to the firſt of theſe, It is very certain, that as the Right of Governing any Society is the Ordinance of Men, and therefore may be determin'd, and ſettled by Men, ſo every Society muſt have a General Right to it, according as is beſt for their own Welfare, (*Page* 45.) And as we have this Right in common with other Societies, from the nature and reaſon of things, ſo we have it likewiſe by our particular Conſtitution, as being a Right declar'd by Law, to be inherent in the Crown and Parliament. So that whatſoever is ſo done

by the Crown and Parliament, they have a Natural and Legal Right to do, and as the intereſts of the Society is lodg'd in them, the Society muſt be determin'd by 'em: And ſince this is the foundation of our preſent Settlement, and the King ſucceeds to the Throne by this, as He muſt have a Legal Right to Govern, we muſt be oblig'd in Duty to Obey.

The only remaining Difficulty is, Whether this Settlement was Legally made by a Lawful King, and Parliament?

Now as to this Objection, it may be anſwer'd, That, tho' this Settlement was made in the Reign of King *William*, who had not a Regular Hereditary Right, yet if the Revolution was, as we have prov'd it Lawful, as being a neceſſary, and therefore Lawful Means for the attainment of a Lawful End, He muſt therefore be a Lawful and Rightful King: And by conſequence muſt have a Power and Right to do, what any other Lawful King could do.

But when we conſider further, That by the Law and Conſtitution of our Kingdom, the Authority of the King in Poſſeſſion is allow'd, however He came by that Poſſeſſion, and that All Acts of Parliament paſs'd by Him, are equally to be Obey'd, as of equal Force with theirs, whoſe Titles were Indiſputable, (as Dr. *Higden* has demon-

demonſtrated) then this Act of Parliament for the Settlement of the Crown, muſt be as valid and obliging as any other Act of any other King and Parliament could be, that is, it muſt give the King as good a Title to the Crown, and make it as much the People's Duty to Obey, as any other Act of Parliament could do.

But here we may ſtill conſider further, That this Settlement was not only made by King *William*, but was afterwards confirm'd by the Authority of Queen *Ann*, whoſe Right and Title every one allow'd, even they who refuſe Allegiance to the King: And if ſhe had a Right, as undoubtedly ſhe had, then ſhe had a Right to do in Her Reign, what the Crown had a Right to do in any Reign, and ſince ſhe, an undoubtedly Lawful Queen, has confirm'd the Succeſſion in the Proteſtant Line, by the concurrence of an undoubtedly Lawful Parliament, (which they had an Inherent Right to do) it will follow, that His preſent Majeſty had, as juſt a Right to the Succeſſion, and has now as juſt a claim to our Allegiance, as Reaſon, and Law can give Him.

And as the ſame Power, that could and did ſettle it thus, could and did actually exclude all others, and therefore hath not only given Him a Right, but has by conſequence given Him the only Right; ſo it

is the Duty of every Subject not only to receive Him for their Prince, but for their only Rightful and Lawful Prince, againſt all other Pretenders whatſoever.

Corollary, or Inference IV.

Laſtly, IF all the Principles we have laid down, and the Reaſonings thereupon be True, from hence we are taught the Obligations, that Governors and Subjects have upon 'em, and the Duties that are ſeverally requir'd of 'em, in order to an happy Government.

For if the End of all Government be the Welfare of Society, then He only can be a good Governor, and they only good Subjects, who conſult the Publick Good in their ſeveral capacities; The Prince the Welfare of His Subjects, and the Subjects the Welfare of their Prince.

And as the Publick Welfare conſiſts in the ſecurity of the Society in their Rights and Properties; ſo it is not only the Duty, but the Intereſt of a Prince, to maintain the Rights of his People, and the People to ſupport the Rights of the Prince.

And as the Laws of the Society are the Rules of the ſeveral Rights of the Society, ſo thoſe ſeveral Rights cannot be ſecur'd, unleſs thoſe Laws be the Rule of their ſeveral Actions; that is, unleſs the People obſerve every thing, that the Laws require,

quire, and the Prince command nothing, but what the Laws allow.

And as Laws are not only made, as Rules, but as a common Security to the Rights of the Society, ſo the common Security muſt neceſſarily conſiſt in the punctual execution of the Laws, and ſo far as the Society are wanting in this reſpect, that is, ſo far as the Prince ſhall pretend to diſpenſe with them, and the People be careleſs in the Execution of 'em, ſo far they are defective in their Duty, and wanting to the Common Good and Security.

For as the Prince and People are but one Society, united together for the Welfare of the whole, they muſt have a Right to each others duty, as neceſſary to the Common Good, and by conſequence ſo far as either part, that is, either Prince, or People are wanting in their reſpective duties to each other, ſo far they are wanting to the Common Good, which God has oblig'd them to conſult.

And therefore thoſe Perſons, who ſhall contribute towards this, by magnifying the Prerogative of the Crown ſo far, as to oppreſs and deſtroy the Rights of the People, or under a pretence of maintaining the Rights of the People, ſhall leſſen the Security of the Crown, are equally Enemies to the Common Good, and equally Falſe to God, and their Country.

Thus

Thus we have gone thro' the Eſſentials of Government, relating both to the Governors, and Subjects, and ſhewn the Obligation they have to one another; By the ſame Principles we may be able to model our notions of the ſeveral Forms of it, and it particularly ſhews us in the firſt place, how far any Form of Government may be alter'd.

Corollary V.

How far any Form of Government may be alter'd.

We have already ſhewn, that every Society has an Inherent Right, to put themſelves under any Form of Government that is abſolutely neceſſary to their own Welfare, according to their ſeveral circumſtances; and as all Forms of Government were originally the Ordinances of men, ſo they are by conſequence alterable by men, and therefore there can be no ſuch Right of Governing in any Perſon, or Family, as is properly, and in its own nature Indefenſible: But then, tho' all Forms of Government were the Ordinances of men, yet as they were Ordain'd for the Welfare of Society, ſo far, and no farther ought they to be alter'd, than the Welfare of the Society requires the alteration.

And

And ſince the Welfare of the Society conſiſts, as we have ſhewn, in the ſecurity of the Rights and Properties of the Society, that Form of Government only can be ſaid to require an alteration, under which the Rights and Properties of the Society cannot be ſecur'd:

And as they who are intruſted with the Intereſts, and imploy'd to Act for the Welfare of the Society, are the only proper Judges of its Welfare, ſo by conſequence they are not only the proper Judges, when, and what alterations ſhall be made, but they are the only Perſons, that can make 'em. And therefore in any particular Conſtitution, ſuppoſe this of ours in this Kingdom, where the Intereſts of the Society are put into the hands, and left to the diſpoſal of the Crown, and Parliament, tho' this Form of Government was originally the Ordinance of the Society, and is therefore alterable by the Society, yet it is not to be done by any other Perſons, nor in any other manner, than by the concurrence of the Crown and Parliament. The Crown cannot do it without the Parliament, nor the Parliament without the Crown. For tho' we ſuppoſe the Rights of Princes are intirely owing to the People, and tho' the People had a Power originally in themſelves, not to have united under that Form, yet after they have conſented, and ſubmit-

ted to it, the Power they had once, is given away, ſo long as that Union continues, and the Power and Prerogative they have given their Prince are as much His Right, whilſt He does the duty of their Prince, as the Privileges they reſerve to themſelves are Theirs.

And therefore as he cannot Lawfully invade their Privileges without Tyranny and Oppreſſion, ſo neither can they Lawfully reſiſt His Power, nor Intrench on His Prerogative without Treaſon and Rebellion.

And by Conſequence in ſuch a Caſe, no alteration can be made by either, without the mutual conſent of Both.

This muſt neceſſarily be true, I ſay, ſo long as this Union and Conſtitution continues:

But ſhould this Union and Conſtitution expire of it ſelf, or be any otherwiſe broken and diſſolv'd, by which the People are diſcharg'd from their Obligations to their Prince, and are by conſequence reduced to the ſtate they were in, before that Union and Conſtitution was made, as they have then the ſame Natural Right to ſettle themſelves again, either in the ſame, or any other Form, as if they had never been ſettled before; ſo whatever the Perſons in that Caſe do, who are intruſted with the Intereſts of the Society, every Member of the Society is oblig'd to ſubmit to.

But

But here then the Queſtion will be, How this Union and Conſtitution can Expire of it ſelf, or can be ſo broken and diſſolv'd, as to put the Society into ſuch a State, as if that Union and Conſtitution had never been made.

Now this may be, *Firſt*, Upon a ſuppoſition that the Royal Family, by whom the Society has agreed to be Govern'd in Succeſſion, is extinct, and ſo no Perſon has any Legal Claim to Govern them; In ſuch a Caſe the Society may put themſelves under any other Perſons, or any other Form, becauſe the former Conſtitution is expir'd: Or,

Secondly, The Union and Conſtitution may be diſſolv'd, when the Prince will not ſubmit to the Terms and Conditions of the Conſtitution, nor perform the Contract by which they are united: For as the End and Reaſon of Government is the Welfare of Society in the ſecurity of their Rights and Properties, ſo the different Forms and Conſtitutions are only ſeveral means to this End:

And therefore when a Prince takes upon Him the Government of a People, it is in the nature of the thing ſuppos'd, and He does thereby virtually Contract and Agree, not only to conſult the Welfare of that People, but to do it in that way, that they have appointed: So that for Inſtance

in ſuch a Government as ours, where we have not only our particular Rights and Properties, aſſur'd to us by Law, but alſo ſuch a certain Form and Conſtitution, where no Rights can be alien'd, nor Laws be made, but by the Advice and Conſent of Parliament, it is in the nature of the thing ſuppos'd, and He who takes upon Him this Government, does thereby tacitly Contract, that He will not only preſerve our Rights and Properties, but that He will Govern in this way, and according to the methods of this Conſtitution.

And therefore when a King ſhall invade our Rights and Properties, and wilfully and deſignedly take them from us, and thereby deſtroy the very End and Reaſon of his Authority; or when he will not govern us by Law, nor with the Advice and Conſent of Parliament; he overturns the Society, and diſſolves the Conſtitution, the Bond and Union between him and the Society, by which alone he becomes their Head, and they become his People: And if after due applications and proper methods, ſuch as are preſcrib'd before; He perſiſts in this Injury without redreſs, the People are as much diſcharg'd from him, as if he had never been their Head; and by Conſequence may lawfully conſult their own Welfare in any other Way, that is neceſſary to that End, as if that Conſtitution

tion had never been made. And whatever they do in ſuch a caſe, who are then intruſted with the Intereſts of the Society, to act in that Juncture for the Welfare of the whole, 'tis the duty of the whole to ſubmit to; becauſe they are in that caſe the higher Powers, and indeed for that time the whole Power; which Power is agreed on all hands, 'tis abſolutely unlawful to reſiſt or diſobey, either by oppoſing what they have a Right to do, or by refuſing what they have a Right to impoſe.

This gives us a Right Notion of Revolutions in Government, and as it ſhews us how far Revolutions may be Lawful, ſo it teaches us how they are to be regularly manag'd, and by what method they ought to be confirm'd, which is not, we ſee, by Popular Tumults, or by any domeſtick Military Force, impoſing ſuch a change upon us, becauſe they have ſtrength enough to do it, but it ought to be done by the whole Society, that is, by the Conſent and Approbation of ſuch Perſons, with whom the Intereſts of the Society are intruſted.

Indeed, in the Caſe of a Revolution brought about by the Conqueſt of a Foreign Force, where we are put under a neceſſity of ſubmitting to the Conqueror in ſuch a way, and upon ſuch Terms as He

ſhall

ſhall impoſe, here no certain Rules can be preſcrib'd, as being an extraordinary caſe: Only in general it may be ſaid, that as the only juſt Foundation of ſubmitting to Conquerors, is, the neceſſity of it to the Welfare of the Society, ſo they, who undertake to ſettle that Submiſſion, ought to get the beſt Terms they can for the Society, that is, not only for themſelves, but for the Whole, and this ought to be the End of every ſtep they take in the Settlement of that Submiſſion.

But in the caſe before us, we have ſuppos'd a Revolution to ariſe from the natural diſſolution of the Conſtitution, by which, tho' the Society have an Inherent Right, to put themſelves under any other Form, and make what alterations they think fit, yet it cannot be regularly ſaid to be done by the Society, unleſs it be done by ſuch Perſons only, as are appointed by the Society for that purpoſe; by which it may appear to be the Act of the Society, and it cannot be Lawfully done by them, for any other End, or upon any other reaſon, than as it is neceſſary for the Welfare of the Whole.

And this gives us occaſion to reflect with pleaſure, upon the kind Providence of God, in our late Revolution, by which, He not only deliver'd us, and our Poſterity, from the apparent ruin of our Liberties and Religion,

ligion, but alſo gave us a happy opportunity, of doing it by the concurrence of the whole Society, in a regular Convention of Lords and Commons; And by this means, having left no room for reaſonable men to object againſt the thing, or the manner of it, He has provided both for our ſafety, and our ſatisfaction.

COROLLARY VI.

What Form of Government is beſt.

FROM the Principles of Government before laid down, as we have reſolved the former point, how far any Form of Government may be alter'd; ſo here we may be inſtructed in that famous Queſtion, What Form of Government is beſt?

This is a frequent Queſtion in the Schools; but 'tis much more ſo among Politicians, and of fatal conſequence to many Societies.

Amongſt us in *England*, 'tis a kind of Hereſy in Politicks, not to give the Preference to Monarchy; And indeed, as Monarchy is the moſt antient and univerſal, ſo one would be apt to conclude it the moſt natural, and therefore the moſt eligible Form:

And of all Forms of Monarchy, the abſolute would probably be beſt, could we ſuppoſe our Princes would be always wiſe and good; could we be always ſure of Perſons,

ſons, whoſe intire aim would be the Welfare of their People, and whoſe prudence would always direct them for the beſt; and cou'd we be ſure, they would be always in wiſe and good hands, an abſolute Form of Monarchy would ſeem beſt fitted, to anſwer all the occaſions of the Publick.

But conſidering the infirmity and corruption of human Nature, it cannot be expected, but that we muſt ſometimes fall into the hands of weak or wicked Princes, or that good and wiſe Princes may ſometimes fall into the hands of wicked and deſigning Counſellors: And therefore ſince we can never hope, but ſuch an abſolute Dominion muſt, ſome time, or other, degenerate into Tyranny and Oppreſſion; this muſt be a falſe Notion of Government, as tending to the deſtruction of the End of Government.

And ſince we have already ſhewn, that Government is only a means to an End, which End is the Welfare of Society, in the ſecurity of their Rights and Properties; if Monarchy be the beſt Form of Government, That by conſequence muſt be the beſt Form of Monarchy, where the Rights and Properties of the Society are beſt ſecur'd: And as the Rights of any Society are moſt likely to be beſt ſecur'd, where nothing can be done in relation to their Rights, without the Advice and Con-

ſent

ſent of all Parties concern'd, and where every Eſtate and Condition of Men in the Society have a ſhare in the diſpoſal of the Affairs of the Society; ſo that Form of Monarchy muſt by conſequence be beſt, which is eſtabliſh'd upon this foundation, which we call a limited mixt Monarchy.

But however perfect and natural a Form of Government Monarchy of any kind may be, yet it can only be ſaid to be generally beſt, but not abſolutely and univerſally ſo: For if the different Forms of Government aroſe, as we have ſuppos'd, from the different circumſtances and intereſts of people, it will follow, That the Goodneſs of any Form can only be meaſur'd by the particular circumſtances and intereſts of the People, that are ſubject to it: And as the Intereſts of People vary with their circumſtances, ſo the Forms of Government may be various, and yet each be beſt in its proper Place, and by conſequence one Form of Government may be beſt for this People, another for that: But yet what particular Form would be beſt for any particular People, would be a very hard matter to diſtinguiſh nicely, were we now to form a new Society in a wild and uncivilized country.

For to judge of this exactly, it would be neceſſary perfectly to underſtand the nature and ſituation of the place, the tem-

per and circumſtances of the people, the manner of their ſubſiſtance with themſelves, and their relation to, and dependance upon others;

And yet, after all, when we perfectly underſtand this, whether there be any particular Form of Government ſo neceſſary to the Welfare of any people, as that they would not be able to ſubſiſt under any other, 'tis very hard to ſay.

Tho' by a long Obſervation of the United Provinces, Politicians tell us, it is ſo with them; and that no other Government but that they live under, could poſſibly be maintain'd amongſt them; yet as Monarchy ſeems to be the moſt perfect, and the moſt natural Form, ſo we may reaſonably think, that, generally ſpeaking, that Form of Monarchy, which is already ſhewn to be beſt in its own nature, would be generally beſt for any People.

And where they have varied from it at any time, as far as I can find, it has not ariſen from any inconſiſtency there is in Monarchy, as ſuch, to the Intereſts of thoſe Societies that are otherwiſe modell'd; but only from ſome accidental circumſtances relating to the then preſent time and place, or the then preſent temper of the people, when thoſe Societies were form'd.

And therefore in the firſt Formation of a Society, the particular occaſions that then offer themſelves, ſeem to be the Rule, and the only Rule for the firſt Formation of the model of their Government. But when a Society is already form'd, and a model of Government has been long eſtabliſh'd, the only Rule of judging in this caſe, is the Welfare of the Society under it: And as the Welfare of the Society does not conſiſt in the largeneſs and extent of their Dominions, much leſs in the Grandeur and Flutter of their Princes, but in the enjoyment of their Rights and Properties; ſo when any Government has been long continued, and the People live eaſily and comfortably under it, and have a proſpect of continuing ſo, and for that reaſon may be thought to like it beſt, That Government no doubt is beſt for that People:

And if ſo, then ſince the Government of *England* is not only a Monarchy, and ſuch a kind of Monarchy, as is beſt in its ſelf, as being limited and mix'd, where every State and Condition of Men in the Society, have a ſhare in the diſpoſal of their Rights and Properties, but alſo ſuch a Monarchy, as we have lived for many ages eaſily and comfortably under, and have a proſpect of continuing ſo for ever; and therefore ſuch a Monarchy as we univer-

ſally like; it will follow from hence, by an unavoidable conſequence, That this Form of Government is beſt for *England*.

And by conſequence it muſt be a ſtanding Maxim of *Engliſh* Politicks, That this Form of Government ought to be maintain'd; that is, it ought to be maintain'd, as it is eſtabliſh'd in *England*; and therefore not only as a Monarchy, or Kingly Government in one Perſon; but alſo ſuch a ſort of Kingly Government, as is limited and mix'd, where no Laws can be made by the King, but by the concurrence of the People, that is, by the Advice and Conſent of Parliament.

And as this is already prov'd to be the beſt Form of Government upon this conſideration, That in it every State and Condition of Men in the Society, have a ſhare in the diſpoſal of their ſeveral Rights: And as there are different Eſtates and Conditions of men amongſt us, conſider'd either as Clergy, or Laity, having not only different and diſtinct Rights upon this account, but alſo as they are diſtinguiſh'd into Lords, and Commons:

And as the Parliament is made up of all theſe, ſo it will follow, That if the Monarchy ought to be maintain'd under the Parliamentary Limitation eſtabliſh'd in *England*; it ought to be ſo, as that each of theſe different Conditions of Men, conſider'd

der'd as Lords and Commons, and Clergy, may enjoy their reſpective Parliamentary Rights, and Privileges, ſo as each to have a ſhare in the diſpoſal of Affairs.

This is the Conſtitution of the Monarchy of *England*, and therefore whatſoever tends to the preſervation or deſtruction of this, in any one of theſe ſeveral reſpects, is ſo far preſervative or deſtructive of the Intereſt of *England*, and by conſequence ought either to be avoided, or perſued.

If therefore we reflect upon this Conſtitution of the Monarchy, and what is neceſſary to its Preſervation in its ſeveral parts, that is, what is neceſſary for the ſupport and preſervation of the Monarchy it ſelf, conſider'd as the Government of a ſingle Perſon; or, 2*dly*, What is neceſſary for its ſupport and preſervation, conſider'd in conjunction with the Two Houſes of Parliament, that a due ballance between 'em be maintain'd; or, 3*dly*, What is neceſſary to its ſupport and preſervation, as a Parliamentary Monarchy made up of the Three Eſtates of the Kingdom, under the Influence of their Head; if, I ſay, theſe things be conſider'd diſtinctly, this will give us all the general Maxims of Policy, relating to the Conſtitution of our Monarchy.

What theſe Maxims are, may eaſily be diſcover'd by any one of any obſervation and

and experience, and 'twould be useful to every *English* Subject, to have a distinct and perfect Knowledge of them; but since the just consideration of that matter would swell this Paper beyond its bounds, and make it less useful for my design; I think it proper to proceed no farther, till I have more leisure and convenience.

Thus you have a View of natural Politicks, relating both to the duties of Governours and Subjects, set forth in a series of necessary and unavoidable consequences from evident, and undoubted Principles.

I leave every one to judge, whether it be true, or not.

But as Truth is the necessary Relation, that things bear to one another, as to agreement, or disagreement, when from certain Principles, we are able to form consistent Schemes of things, all hanging together in a regular chain, one part necessarily depending on the other, in a natural and easy connexion, this looks very like a connexion of Truths.

This I take to be the only way of coming to any certainty in the knowledge of any truth, and this is the method I have here taken, and this I have persued with that Indifference, which becomes every one that would not be deceiv'd.

I have had no Regard to interest, prejudice, or party, but only to the discovery of

of Truth, and as I have not wiſh'd to find it, rather on one ſide, than another, ſo, if I am miſtaken, I am not in love with errour, but am ready to renounce, upon due conviction, whatever ſhall appear to be ſo.

But then it is to be obſerv'd, That as I take my notions to be neceſſary conſequences from certain and undoubted Principles, the only true way to convince me of miſtake, is to ſhew me ſome errour, either in the Principles laid down, or the conſequences deduced from them: For ſo long as theſe are allow'd to be true, and no flaw be diſcover'd in theſe reſpects, if Demonſtration be argument, my Scheme cannot be falſe.

Thus, therefore, I leave it with the Reader, and if any one ſhall think fit to oppoſe what I have ſaid, if he conſider the Subject with the impartiality of a Philoſopher, and treat the author with the civility of a Gentleman; I ſhall be very glad to be better inform'd, and think my ſelf oblig'd to him, if I am Wrong, that he would give himſelf the trouble to ſet me Right.

FINIS.

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